A GENERAL

COLLECTION

OF

TREATYS of Peace and Commerce, Renunciations, Manifeſtos, and other Publick Papers, from the Year 1642, to the End of the Reign of Queen ANNE.

VOL. III. Containing,

Treaty betwixt King *Charles* I. and the *Iriſh Roman* Catholicks, 1646.

Engliſh Parliament's Manifeſto againſt the *Dutch*, 1652.

Dutch Manifeſto, in Anſwer to it.

Their Placaert, forbidding Commerce with *England*, 1652.

Treatys betwixt *Oliver Cromwell* and the *Dutch*, 1654, &c.

His Treatys with *Sweden*, *Portugal*, *Denmark*, and *France*, 1654, &c.

Richard Cromwell's Treaty with *France*.

Treaty at *Oliva* betwixt *Poland*, *Sweden*, &c. 1660.

Several Treatys betwixt K. *Charles* II. and *Brandenburg*, *Sweden*, and *Denmark*, 1661. *Holland*, and *Spain*, 1674, 1677, 1680.

His Treatys with *Algiers*, *Tripoli*, and *Tunis*, 1662.

His Treaty with the Duke of *Courland* relating to the Iſland of *Tobago*, 1664.

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His Treaty with ſome *Indian* Princes, 1677.

Treaty betwixt King *James* II. and *Holland*, 1685.

Treaty betwixt King *William* III. *Holland*, and *Savoy*, 1690.

Treaty betwixt the Emperor, *England*, and *Portugal*, 1703.

Treatys at *Utrecht*, betwixt *Great Britain*, *France*, and *Spain*; with ſeveral Renunciations, 1713.

The *Aſſiento* Treaty for the Importation of Negroes by the *South-Sea* Company, 1713.

With many others, to be ſeen in the Contents.

LONDON:

Printed for J. J. and P. KNAPTON, J. DARBY, D. MIDWINTER and A. WARD, A. BETTESWORTH and C. HITCH, J. PEMBERTON, J. OSBORN and T. LONGMAN, C. RIVINGTON, F. CLAY, J. BATLEY, R. HETT, and T. HATCHETT. M.DCC.XXXII.

MVSEVM
BRITAN
NICVM

TO

The Moſt NOBLE

Sir Robert Walpole,

Theſe VOLUMES of Treatys, Conventions, and other Publick Acts, are, with the utmoſt Duty and Submiſſion,

Inſcrib'd, by

His moſt obliged,

moſt obedient,

and moſt devoted Servant,

Auguſt 1. 1732.

S. W.

TO

The Most Noble

Sir Robert Walpole,

The Volumes of Treaties, Conventions, and other Public Acts, are with the utmost Duty and Submission,

Inscribed by

INTRODUCTION

TO THE

Third and Fourth VOLUMES.

THE Reception given by the Publick to the Firſt and Second Volumes of this Collection printed near twenty Years ago, tho confeſs'd by the Editor to be deficient of ſeveral material Treatys, even of a modern Date, was a good Argument with him to ſpare no Pains or Expence to get thoſe publick Papers he could not then come at, in order to form a Third Volume.

The firſt thing that encouraged him to proceed in his Deſign, was the Recovery of ſome Treaties made by King *Charles* I. and the two *Cromwells*, as well as other important Papers printed in Latin, by Order of the Parliament, which never yet appear'd in the *Engliſh* Language: theſe, with other conſiderable Treatys of a later Date, as expreſs'd in the Title, and Table of Contents, the Editor hop'd might have been compriz'd in a Third Volume, with which he did intend to have ſtopp'd.

But the many Treatys and Conventions of Friendſhip, Peace, Navigation and Commerce, which have been made of late Years; the Addreſſes preſented to the Throne every Seſſion of Parliament for Copys of ſuch Treatys, which are but ſeldom printed; the

general acknowledgment of the Utility of Collections of this Nature, not only to Miniſters and Stateſmen, but to all Gentlemen employ'd, or converſant in publick Affairs; and the ſtrong Paſſions even of the common People, of the Age and Country we live in, to be acquainted with the Proceedings of our Ambaſſadors and other Miniſters, did all render it neceſſary to complete the Collection with a Fourth Volume.

We ſhall here purſue the Method taken by the Author of the Introduction to the Second Volume, by ſubmitting a few Remarks to the Reader on ſome particular Acts contain'd in the Third and Fourth, and on the general State of the Affairs of *Europe* within this Period.

The firſt we ſhall take notice of is the Treaty of Truce betwixt the *Iriſh* Royaliſts and Parliamentarians, inſerted in Vol. III. p. 6. 'Tis evident from a Paſſage in Lord *Clarendon*'s Hiſtory, Vol. II. Part I. p. 414. that the Deſign of King *Charles* I. in making this Truce was to employ the *Engliſh* Forces, which were in the Service of that Kingdom, to ſubdue the Parliament; and that to avoid the Reproaches he was liable to for ſo doing, he reſolv'd to manage ſo that it ſhou'd appear to be done by the Lords Juſtices and Council of *Ireland*. The Lord *Clarendon* indeed inſinuates, in the paſſage above referr'd to, that the King came not to this Reſolution till about the cloſe of the Year 1643, that is, when he was ſure the *Scots* were to ſend an Army into *England*. 'Tis certain however, from the Date of this Truce, that the King reſolv'd to make a Truce in *Ireland* long before the Parliament's Negotiations with *Scotland*, and before the *Scots* Reſolution to levy an Army: For his Order to the Lords Juſtices to aſſiſt the Marquiſs of *Ormond*, in the Execution of his Commiſſion to treat with the Rebels for a Ceſſation of Arms, was dated the 23d of *April* 1643, whereas the *Scots* Reſolution was not taken till

Auguſt

Auguſt following; ſo that Lord *Clarendon*'s Inſinuation, that the King did not reſolve to employ the *Engliſh* Forces from *Ireland* but only to ſecure himſelf againſt the Torrent which was ready to overwhelm him, is ill grounded, and confirms that 'twas not pure Neceſſity, but the hopes of ſubduing the Parliament, which induc'd him to make this Truce. The Parliament, in a Declaration publiſh'd on account of this Ceſſation, before they had notice of its being concluded, repreſented that all the Complaints from the Officers of his Army, *&c.* in *Ireland*, of their being ready to periſh for want of Supplies, were much aggravated by the private Direction of the King, who had a mind to make uſe of them for a pretence to the Truce. The Parliament alſo complain'd ſtrongly on their part, that they were never acquainted by the State of *Ireland* with the Treaty of a Ceſſation, much leſs was their Advice demanded; tho by Act of Parliament, and by his Majeſty's Commiſſion under the Great Seal, both Houſes were to adviſe, order, and diſpoſe of all things concerning the Government and Defence of that Kingdom. They obſerv'd alſo, that ſome of the Lords Juſtices and Council, who were ſo honeſt as to diſſuade from this Ceſſation, were remov'd from their Places, and committed to Priſon. For which, and other reaſons, both Houſes declar'd the intended Ceſſation void, and promis'd to ſtand by thoſe who ſhou'd refuſe to ſubmit to it.

The next Treaty (Vol. III. p. 8.) which King *Charles* made with the Roman Catholicks of *Ireland*, is not one of the leaſt curious Tranſactions of that Reign, tho the Lord *Clarendon* has not thought fit to mention it.

The Truce the King had made with the *Iriſh* Rebels, did not entirely ſuſpend Hoſtilities in that Iſland. Thoſe who commanded there for the Parliament and the *Scots*, refus'd to accept it; and the *Engliſh* Forces, which the King had drawn from *Ireland*, were entirely ruin'd and diſpers'd in *England*; ſo that he reap'd no Benefit

from this Ceſſation, which, he pretended, he was under a neceſſity of concluding, in order to ſave the *Engliſh* from threaten'd Deſtruction; tho when thoſe *Engliſh* Troops came home, it was eaſy to gueſs the true Reaſon of it. The King, who did not deſpair of the Aſſiſtance of the *Iriſh* to proſecute the War againſt the Parliament, form'd a Project of Peace with 'em, that he might employ not only the reſt of the *Engliſh* who were in *Ireland*, but alſo a good Body of *Iriſh*, whom he intended to ſend for into *England*. He therefore order'd the Marquiſs of *Ormond* to ſet about this Peace, in which he foreſaw Difficulties ſeemingly inſurmountable, becauſe the *Iriſh* muſt neceſſarily be ſatisfied in the Article of Religion; which he cou'd not do, without contradicting all his Proteſtations of Zeal for the Reform'd Religion, without abandoning the Intereſts of the *Iriſh* Proteſtants, and of *England* too, by cauſing her to loſe the Dominion ſhe always had over *Ireland* ſince the Conqueſt of it, and conſequently without loſing many of his ſincere Friends in *England*. To obviate theſe Difficultys, he employ'd the Marquiſs a long time to perſuade the *Iriſh* to acquieſce with the general Promiſes he might make to gratify them at a better Seaſon, when it ſhou'd be more in his power; but they wou'd not truſt to his Promiſes: upon which he reſolv'd to grant them whatever they demanded, by concluding a private Peace without Solemnity, or the Intervention of the Lord Lieutenant, and binding himſelf to have it effectually executed, when it ſhou'd be in his power to ratify it ſolemnly: with which the *Iriſh* were well ſatisfy'd.

To this purpoſe, while the Marquiſs of *Ormond* was to all appearance very earneſt for a Peace with the Rebels, the Earl of *Glamorgan*, authoriz'd by the King, was treating with them ſecretly and more effectually, by virtue of a full Power, (mention'd in the Treaty) which was remarkably dated at a time when the King's Affairs did not ſeem ſo bad as to require the making uſe of the *Iriſh* Catholicks; while

while on the contrary, it was much more probable that it was done ſolely to increaſe the Superiority he then had over the Parliament.

'Tis related by *Ruſhworth*, that this Treaty, tho made very ſecretly, was diſcover'd by this extraordinary Accident. The Archbiſhop of *Tuam* joining himſelf to a Body of *Iriſh* Troops that were going to beſiege *Sligo*, either for the Security of his Perſon, or ſome other Deſign, the Gariſon made a Sally when they came near the Place; by which his Party was routed, and himſelf kill'd, and in his Pockets were found authentick Copys of the Treaty atteſted by ſeveral Biſhops, as alſo of the full Powers given to the Earl of *Glamorgan* by the King, which were ſent to the Parliament.

We ſhall only add, that upon this Diſcovery, the Marquiſs of *Ormond*, the Lord *Digby*, then in *Ireland*, and ſome others, found no better Expedient to clear the King, than to arreſt the Earl of *Glamorgan*, and threaten him with ſevere Puniſhment, for preſuming to go beyond his Orders, by concluding a Treaty with the *Iriſh*.

As to the Manifeſtoes of the *Engliſh* Parliament, and the States General, *Anno* 1652, (from p. 36 to 59 of the ſame Vol.) it may be obſerv'd, that *Adrian Pauw*, who had been Plenipotentiary at the Peace of *Munſter*, was ſent Ambaſſador Extraordinary from the States to the Parliament, to move for an Accommodation: but the Parliament inſiſting upon the ſame Terms which were propos'd before the Rupture, the States recall'd their Ambaſſadors, and reſolv'd to continue the War, as the only way to obtain a Peace. A Manifeſto was publiſh'd by them, in which it was pretended that the Parliament had begun the War without any Provocation from them; and the Parliament anſwer'd in another, ſetting forth all their Grievances, or occaſions of Complaint, particularly the Refuſal of the *Dutch to ſtrike*, which was a Right the Parliament reſolv'd to maintain at all Events. The States reply'd to this,

that it was true indeed, their Republick in its Infancy had paid this Compliment to the Royal Dignity, at a time when *England* was under the Dominion of a King; but they did not think themſelves oblig'd to pay the ſame Reſpects to that Nation, now it had chang'd its Monarchy into a Commonwealth.

As to the ſeparate Article added at the end of the Treaty, whereby the States bound themſelves for ever to exclude the Prince of *Orange* from the Poſts and Employments of Stadtholder General, and Admiral, which his Anceſtors had held; this was ratify'd only by the Province of *Holland*, the other Provinces refuſing their Conſent to it: and *Cromwell* thought it not proper to continue the War to force their Compliance; for it had prov'd a very expenſive and deſtructive War on both ſides.

We proceed next to *Oliver Cromwell*'s Treaty of Peace with *France*, (Vol. III. p. 149.) the making of which immediately upon his Entrance into the War with *Spain*, was attended with no difficulty; *France* being in a Diſpoſition to forget the Injurys receiv'd from the *Engliſh* in 1652. Nothing therefore remain'd to be done more than the renewing of antient Treatys, which was made very eaſy after *Cromwell*'s Declaration againſt *Spain*. But *Ludlow* obſerves in his Memoirs, that this Confederacy was dearly purchaſed on the part of *England*; for by it the Balance of the two Crowns of *France* and *Spain* was deſtroy'd, and a Foundation laid for the future Greatneſs of *France*, to the unſpeakable Prejudice of all *Europe* in general, and of the *Engliſh* Nation in particular, whoſe Intereſt it had been hitherto accounted to maintain that Equality as near as poſſible.

There's another of his Treatys with *Lewis* XIV. (p. 175.) as to which we ſhall obſerve, that when King *Charles* II. heard it was negotiating, he ſent a truſty Meſſenger to the Archduke *Leopold*, Governour of the *Low-Countrys*, to make him the Offer of a League with *Spain*: which the Archduke accepted, believing

believing that if the King of *England* was fix'd to the Intereſts of *Spain*, he wou'd have Credit enough to draw the *Iriſh* Forces from the *French* into the *Spaniſh* Service. This was all the Advantage which *Spain* had to expect from a League with a Prince, who had ſo little to offer, that he was to have been ſubſiſted by that Crown, in caſe *France* ſhou'd withdraw his Maintenance. Accordingly the King and the Archduke concluded a Treaty, by which the King had Liberty to reſide at *Bruges*, without any Notice to be taken of it by *Spain*; which was but little able to give him a Reception, or Entertainment ſutable to his Dignity. *Spain* was moreover to furniſh him with 6000 Men, as ſoon as he became Maſter of any conſiderable Port in *England*. And King *Charles*, ſatisfy'd with theſe Conditions, ſign'd the Treaty, which was ratify'd by the King of *Spain*; who thereupon ſettled a monthly Penſion upon the King of 6000 Livres, and another of 3000 upon the Duke of *Gloceſter*, who had been ſent for out of *France* by his Brother the King.

As ſoon as the Treaty referr'd to above was ſign'd between *France* and *England*, the Duke of *York* and all the *Engliſh* of the King's Party in the Pay of *France*, had Orders from the *French* Court to retire out of their Dominions: upon which they all withdrew to the *Low Countrys*, ſome to their King, the reſt to find Employment under *Don John* of *Auſtria*.

The Reader is deſir'd to obſerve, when he turns to p. 184, that tho *Dunkirk* was put into the hands of the *Engliſh*, immediately upon its Surrender to the *French* King, purſuant to the Treaty betwixt *Oliver Cromwell* and his Majeſty; yet there was a Deſign to have withheld it, which we ſhall relate from Dr. *Welwood*, becauſe 'tis a notable Inſtance how far *Cromwell*'s Intelligence reach'd the ſecret Tranſactions of other Princes, as well as of King *Charles*.

When the *French* Army, with the *Engliſh* Auxiliarys, was on its March to inveſt the Town, *Cromwell* ſent one Morning for the *French* Ambaſſador to *Whitehall*, and

and upbraided him publickly for his Maſter's intended Breach of Promiſe, in giving ſecret Orders to the *French* General to keep poſſeſſion of *Dunkirk*, in caſe it was taken, contrary to the Treaty between them. The Ambaſſador proteſted he knew nothing of the matter, as indeed he did not; and begg'd leave to aſſure him that there was no ſuch thing thought of. Upon which *Cromwell* pulling a Paper out of his Pocket, *Here*, ſays he, *is the Copy of the Cardinal's Order: And I deſire you to diſpatch an Expreſs immediately to let him know, that I am not to be impos'd upon*; and *that if he deliver not up the Keys of the Town of* Dunkirk *to* Lockhart *within an hour after it ſhall be taken, tell him I'll come in Perſon, and demand them at the Gates of* Paris. There were but four Perſons ſaid to be privy to this Order, the Queen Mother, the Cardinal, the Marſhal de *Turenne*, and a certain Secretary whoſe Name our Author chuſes not to mention. The Cardinal for a long time blam'd the Queen, as if poſſibly ſhe had blabb'd it out to ſome of her Women; whereas it was found after the Secretary's Death that he had kept a ſecret Correſpondence with *Cromwell* for ſeveral years, and therefore it was not doubted but he had ſent him the Copy of the abovemention'd Order.

Before we have done with *Cromwell*, we hope our Readers will not think us too hiſtorical for an Introduction, ſince it is conſiſtent with the Subject, if we quote a Paſſage from one of the beſt modern Hiſtorians, to ſhew *what a high hand* Cromwell *bore in his Treatys with Crown'd Heads*. *Puffendorf*, in the Life and Actions of *Frederick William* Elector of *Brandenburgh*, p. 313, ſays *, that in *Cromwell's* League with *France* againſt *Spain*, he wou'd not allow *Lewis* XIV. to call himſelf King of

* *Id porro Bellum Protectoris in Hiſpanos adeo opportunum Gallo accedebat, ut ſummo Studio ipſum fœdere ſibi innectere ſtuderet, etiam conceſſo, ut Cromwellus eundem, Gallorum Regem, non* Galliarum *nuncuparet, atque ipſe Protectoris quoque Franciæ, vocabulum, ſicut Angliæ aſſumpturus: Simul pateretur Cromwellum Inſtrumento ſuo Nomen Titulumque ante Gallicum ponere.*

France,

France, but of the *French*, whereas he took to himſelf not only the Title of Protector of *England*, but likewiſe of *France*: And, which is yet more ſurprizing, and can hardly be believed but for the Authority of the Author, the Protector's Name was put before the *French* King's in the Inſtrument of the Treaty.

The *Algerines* were forc'd to the Treaty inſerted p. 267, by Vice-Admiral *Lawſon*, who ſail'd to their Coaſts with a Squadron. King *Charles* II. being then in poſſeſſion of *Tangier*, they believ'd doubtleſs, it wou'd be no Advantage to them to have him their Enemy.

King *Charles* fearing the States had a Deſign to diſunite, or give him and his Brother of *France* a mutual Diſguſt of each other, diſpatch'd the Duke of *Bucks* and the Earl of *Arlington* into *Holland*, on pretence of treating of a Peace with the States in conjunction with *France*: And as theſe Ambaſſadors paſs'd thro' the *Hague*, in their Way to *Utrecht*, where the *French* King then was, they affected to give out that they were come to bring Peace. But when they were to enter into Treaty, their Propoſals were ſo extravagant, that it was evident Peace was not the thing deſign'd by this Embaſſy; and the Sequel ſhew'd that the Intent of it was rather to bind the Alliance between *France* and *England* more firmly, and to concert new Meaſures for the Proſecution of the War.

The Conditions of the Treaty inſerted in p. 275, were offer'd by the *Dutch* to the King ſome time before; but he rejected them then, on pretence they were only deſign'd to amuſe him, tho at that time nothing leſs cou'd content him than the entire Deſtruction of the Seven Provinces, and the Surrender of 'em to the King of *France*. But the ill Situation of his Affairs now inclin'd him to hearken to a reaſonable Peace, provided the States wou'd have ſome regard to his Honour and Credit. When no other Difficulty remain'd but this, the States wrote a ſubmiſſive Letter to him, at the ſame time that they gave the *Spaniſh* Ambaſſador Powers to conclude the Peace: and the

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Propoſals they made were ſo reaſonable, and offer'd in ſo ſolemn a manner, that they cou'd not be rejected without alarming the whole Kingdom, and confirming the Suſpicions, which were but too general, that his War with the *Dutch* had other Ends than the Advantage of his People.

His Treaty with the *Dutch*, (p. 317.) was very far from anſwering the Deſires of the Parliament; it being only Defenſive, to prevent the King of *France* from puſhing his Conqueſts farther in the *Netherlands*. It may eaſily be judg'd, conſidering this King's ſtrict Amity with *France*, and the ſecret Correſpondences between the two Courts, whether he had any great Deſire to go to War with *France*, in order to force her to reſtore what ſhe had taken; however, he believ'd that by this League he ſhou'd be able to impoſe upon the Parliament.

The Treaty which King *William* III. and the *Dutch* made with the Duke of *Savoy* to bring him into the Grand Alliance (p. 334.) cannot well be paſs'd over, without this Remark to the praiſe of his Royal Highneſs, That whatever was his Conduct after, there are few Princes who teſtify'd ſo much Courage and Fortitude at his Age, as he did in this Inſtance. He had been deſpoil'd of the beſt part of his Dominions, abandon'd by all the Princes of *Italy*, whoſe Intereſt it was to aſſiſt him; he was ſollicited earneſtly by the Pope to make a Peace, and was in a condition to do it when he pleas'd, in regard that 'tis not to be queſtion'd that *France* wou'd readily have condeſcended: nevertheleſs he acted ſo honourable a Part at this Juncture, that he choſe to hazard all, rather than abandon the Confederates, for whom he had declar'd.

One of the moſt important Treatys to the common Cauſe of the Confederacy form'd againſt *France* and *Spain* by that immortal Hero King *William*, was the Treaty betwixt his Succeſſor Queen *Anne*, the Emperor, the *Dutch*, and the *Portugueſe*, in Vol. III. p. 354. Nothing cou'd be more alarming to the Court of *France*

at

at that time, than the News of the King of *Portugal's* entring into the Grand Alliance. The Rumour of it ſo ſtartled M. *Rouille*, who was then the *French* Ambaſſador at *Lisbon*, that he preſented a Memorial to the King in hopes to have the Truth from his own Mouth; in which Memorial he offer'd in his Maſter's Name, not only to make good all the Breaches of Faith, and to fulfil all the Promiſes not perform'd in the laſt Treaty betwixt *Spain*, *France* and *Portugal*, but to enter into new Engagements with his *Portugueſe* Majeſty for the Security of his Dominions againſt all Aggreſſors whatſoever. But Anſwer was return'd him by the Duke of *Cadaval*, That the King of *Portugal* had no more to ſay to him upon that Subject. And when he preſs'd the Duke to inform him, whether his *Portugueſe* Majeſty had enter'd into any Engagements with the Enemys of the King his Maſter, the Duke reply'd, that he had no Order to give him any other Anſwer, and that he was at liberty to gueſs what he thought fit.

The ſucceeding Reign was not ſo eminent for Arts of Peace as glorious Deeds of War; unleſs we except the ſecret Negotiations begun at *London* and *Paris* for a ſeparate Peace with *France*, and the Treatys that were ſoon after publickly negotiated and ſign'd at *Utrecht*.

The Merit of thoſe Treatys was ſo fully diſcuſs'd at that time by the many Tracts printed for and againſt them, not only by the Politicians of *Great Britain*, but of *France*, *Holland* and *Germany*, that the Subject has been already too much drain'd, beſides that 'tis too copious for the Limits of an Introduction. However, we ſhall not diſmiſs the Third Volume of our Collection, which ends with thoſe Treatys, without adding a few Reflections on the State of *Europe* at that time and ſince; which may perhaps ſerve to throw a ſtronger Light upon the pacific Tranſactions of the following Reigns, and enable the Reader to form a clearer Judg-

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ment of ſeveral of the Treatys contain'd in the IVth Volume.

The Situation of *Europe* at the Peace of *Utrecht* was ſuch as Hiſtory can ſcarce parallel. All the Powers of this part of the World had been haraſs'd by a ten Years War, which had well nigh exhauſted both its Blood and Treaſure: This, conſidering the other Wars they had been engag'd in before, during the Reigns of King *Charles* II. and King *William* III. Wars which were only interrupted by ſome faint Glimpſes of Peace, had reduc'd all the Potentates, who had drawn their Swords, to an Incapacity of bearing Arms any longer. However, the Foundations of the Peace of *Utrecht* were ſo weak and unſtable, that as ſoon as the lofty Fabric was perfected by the Treatys of *Baden* and *Raſtadt*, it was eaſy to foreſee that it wou'd quickly totter: Tho may we not venture to affirm, that if *Lewis* XIV. who was far from being ſuperannuated when he dy'd, had liv'd but ten Years longer, he wou'd by his Authority, by the Credit he had with all the Potentates, and by the Cunning of his Miniſter, have ſupported the Structure which his Intrigues had rais'd to his Glory, and in ſome ſort have repair'd the Loſſes which his Arms had ſuſtain'd after the Battle of *Ramillies*? But as the things of this World, which ſeem moſt ſolid, are very unſtable; and as there are certain Strokes of Providence which the moſt conſummate Politician cannot foreſee, the great Monarch, who was in ſo fair a way to have done this, was ſoon ſnatch'd away by Death: And what is almoſt incredible, that Crown, which one wou'd have thought to be moſt impoveriſh'd, becauſe its Provinces had been a Prey during the whole War to the Armies of both Parties, was the firſt in a condition to arm, and that too in a manner ſo formidable, that other Powers, which ſeem'd no way concerned to take part in the Quarrel, were the firſt that made any Efforts to oppoſe its Deſigns. 'Tis eaſy to perceive the Crown I mean is that of *Spain*, whoſe indefa-

indefatigable and ſagacious Miniſter gave her to underſtand that ſhe had more Forces than ſhe knew of, even at a time when ſhe muſt have been at the loweſt Ebb. Soon after *Lewis* XIVth's Death, the Alliance which had been ſo long ſollicited in vain, was concluded betwixt *France* and *Great Britain.*

The Regency during the Minority of his preſent moſt Chriſtian Majeſty, was very far from favouring the Views of the *Spaniſh* Miniſter; and *Great Britain* fell in intirely with the Emperor, whoſe Increaſe of Power cou'd prognoſticate no good to the Crown of *France.* The Intereſts of the Blood Royal, and thoſe of the Duke Regent, claſh'd; from whence aroſe new Maxims, ſome of which favour'd, others effac'd the former ones. And what was the Conſequence? Why, the Regent was ſo link'd with *Great Britain*, that when *Spain* declar'd War againſt the Emperor in the *Mediterranean*, where ſhe had a very ſure Game to play againſt a Prince who had no naval Force, *France* took up the Cudgels in favour of the hereditary Enemy of her Crown againſt the firſt Prince of her Royal Blood, againſt a King whom ſhe herſelf had fix'd upon the Throne at the expence of her Blood and Treaſure: *France* in alliance with the Houſe of *Auſtria*, made Conqueſts upon *Spain*, as if ſhe had ſtill been govern'd by a Deſcendant of *Charles* V. And *England* made advantageous Efforts in the Emperor's favour to hinder him from loſing *Sicily*: and to the Conſtancy of her Friendſhip he ow'd the Preſervation of both *Naples* and *Sicily* a ſecond time.

To Force was join'd Intrigue, which ſucceeded in the overthrow of the able Miniſter of *Spain*, whoſe Genius wou'd ſoon have contriv'd ways and means to repair the Loſs of the Battle of *Syracuſa*. He who was the Maſter of the Springs and Sinews of War, being no longer at the Helm, the War ceas'd of itſelf, and King *Philip* conſented to ſign the Quadruple Alliance;

which Acceſſion gave occaſion to the Congreſs of *Cambray*, wherein nothing was done, tho it was held a long time. During this Interval, the Regency of *France* ſeem'd to be in a way of Reconciliation with *Spain*. The Marriage of the Regent's eldeſt Daughter to the preſumptive Heir of that Crown; the Promiſe of his ſecond Daughter to the eldeſt Prince of *Spain*, by the ſecond Venter; the Reception of the *Spaniſh* Infanta in *France*, in hopes of being Queen there, were Circumſtances which ſeem'd productive of a new Scheme, and to turn the Balance on the ſide of *Spain*. But there was not time to bring it to maturity; for all on a ſudden a King in the Prime of his Age, a King whom it had coſt ſo much Blood and Treaſure to eſtabliſh on his Throne, ſurpriz'd the World by abdicating the Crown, and giving it to the Prince his Son. Here was a new Revolution! Hitherto the Queen had great Influence in Affairs, and perhaps ſhe contributed not a little towards engaging the King to ſign the Quadruple Alliance, which fix'd her Son *Don Carlos* in a Succeſſion: but the King's Abdication remov'd her from the Government, the *Spaniards* came again into Play, and introduc'd new Meaſures. The Regent of *France* dies, and a Change of particular Intereſts enſued. The young King of *Spain* ſurviv'd him but a few Months. *Philip* the Vth re-aſcends the Throne; the Queen his Conſort reſumes the Adminiſtration; the Infanta is ſent back again; the Congreſs at *Cambray* breaks up: and behold a Scene perfectly new! *France* was again embroil'd with *Spain*, and more cloſely united than ever with *Great Britain*; and on a ſudden, we heard of a *Spaniſh* Agent at *Vienna*, and of a Treaty concluded betwixt the Emperor and *Philip* V. who made a Sacrifice to his Enemy of more than ever the Mediators had propos'd to do during the Congreſs at *Cambray*.

As long as the Regent liv'd, his ſuperior Genius, the Indifference both that Prince and his Prime Miniſter

ſter the Cardinal *du Bois* manifeſted for any Relations betwixt the Eccleſiaſtical and Civil Intereſts, their ſtrict Union with the Powers that are the Buttreſſes of the Proteſtant Religion; all theſe things together had extricated the Affairs of *Europe* from the Influence of the Clergy.

But when the Scene was chang'd, the Clergy bore greater Sway than ever, and all things reſum'd their Currency thro' Eccleſiaſtical, not to ſay Jeſuitical, Canals. The Intrigues of the Vatican regain'd the Aſcendant, and Religion was intereſted in every Tranſaction. The aſtoniſhing Sacrifices which the Catholick King made by the Treatys of *Vienna*, for the ſake of being reconcil'd to the Emperor and the Houſe of *Auſtria*, are a Proof what Advantage the Prieſts made of the Superiority they had gain'd in that Monarch's Councils.

This new Change of the Scene open'd the Eyes of thoſe who had employ'd their Mediation at *Cambray* about four Years to no purpoſe: Then they ſaw they had been miſtaken in many Points, and that they cou'd not take too much Pains to reſcue Affairs from the Influence of the Clergy. From hence aroſe new Views, and a new Scheme.

As ſoon as the Succeſs of the ſecret Negotiations at *Vienna* was diſcover'd, Things ſeem'd to be taking a dangerous Turn. The *Britiſh* Miniſtry was ſoon inform'd of all that was done, and of what was to be done: they took wiſe Precautions, and ſteer'd with ſuch Addreſs, that in a few Months after the Treatys of *Vienna*, an Alliance was concluded at *Hannover* between the Kings of *France*, *Great Britain* and *Pruſſia*: in which it was expreſly ſtipulated to invite the States General of the United Provinces to accede to it; that powerful Republick, which was as much intereſted in the Articles concluded at *Vienna*, as in the general Preſervation of the Tranquillity of *Europe*, which was

the principal Aim of the *Hannover* Treaty. Thus was *France* enter'd into an Alliance with Three Proteſtant Powers againſt Two Catholicks, whoſe Intereſts cou'd not but be dear to the Head of the Church of *Rome*; and the other Powers, which were invited into the ſame Alliance, were alſo of a Religion contrary to that of *Rome*. This open'd a fine Field for the Intrigues of the Clergy, who on the one hand had the faireſt Opportunity in the World to extol to the Princes of their Communion, every Step of the Court of *France* which was ſuſceptible of a favourable Conſtruction; and on the other hand, they cou'd never be at a loſs for Appearances to favour their Inſinuations, and to confirm the Jealouſys, which it was their Intereſt to foment among the Allies of *France*.

When the preſent King of *France* aſſum'd the Adminiſtration, he follow'd the wiſe Maxims of the Duke Regent, one of the moſt conſummate Stateſmen in *France*, ſince *Richelieu* and *Mazarine*. The young Monarch underſtood of what Importance it was for him to continue ſtedfaſt in the Alliance, becauſe otherwiſe he wou'd for ever have loſt the Confidence of Potentates, whom it was his trueſt Intereſt to adhere to; beſides that it was not poſſible he ſhou'd enter into an Alliance with the Houſe of *Auſtria*, for very many Reaſons, which ſeparate their Intereſts, if they do not render them altogether incompatible. Who does not remember the many Intrigues, groundleſs Rumours, and treacherous Inſinuations ſet on foot, when *Lewis* XV. diſcover'd that unſhaken Conſtancy, Equity, and Sincerity? The Machines of the moſt artful Policy, when it finds itſelf in Diſtreſs, were put in motion, and produc'd variety of Negotiations, Treatys, and Acceſſions. And while all *Europe* expected the Maintenance of the publick Peace and Tranquillity from thoſe Treatys, the Alarm was rung from all Quarters, and the Trumpets ſounded as it were *To Horſe*.

This

This leads us to take notice of that which is the Subject of ſeveral Pieces in our 4th Volume, the Project for introducing *Don Carlos*, and the *Spaniards* into *Italy*; which cut out Work for all *Europe* from the Year 1718, to the preſent: a Project which had like to have miſcarry'd more than once, and by the ſeveral Changes it underwent, before it came to maturity, alarm'd all *Europe* with the Proſpect of a War. How obſtinately did the Imperialiſts at the time of negotiating the Quadruple Alliance, oppoſe the Introduction of either *French* or *Spaniards* into the Duchy of *Tuſcany*? And what Pains were taken to ſettle the Article of the Gariſons? The Imperial Court did not then ſtick to let the contracting Partys know the Apprehenſions they had of the *Spaniards* Return into *Italy*. This Article of the Neutral Gariſons was the only Cauſe of the Non-Execution of the Quadruple Alliance, and of the Congreſſes of *Cambray*, *Soiſſons* and *Paris*, of the Equipment of ſeveral Squadrons, and the March of 80,000 Men from *Germany*, *Hungary* and *Bohemia*, into the Heart of *Italy*. This Article of the Neutral Gariſons gave Birth to the Treatys of *Vienna*, *Hannover* and *Seville*, and finally to the other two Treatys concluded laſt Year at *Vienna*, all inſerted in our 4th Volume. But after all the Dodges and Delays, the Chicanes and Tergiverſations, the Alliances and Treatys, *Spain* carry'd her Point; her Troops are now in *Italy*, quarter'd in *Tuſcany*, *Lombardy*, *Parma*, *Placentia*, and the Iſland of *Elba*; and *France* was the firſt that ſet the Example of not arming, when the Execution of the Treaty of *Seville*, of which ſhe was the principal contracting Party, was ſetting about in good earneſt; and thought ſhe did enough in declaring ſhe ſhou'd not be ſorry to ſee the Performance of the Meaſures which had been concerted with her.

Having thus given the general State of Affairs at and ſince the Treaty of *Utrecht*, we ſhall conclude with a few Remarks on ſome particular Treatys, &c. inſerted in our 4th Volume, which we have not yet mention'd.

The firſt that occur to us in Order of Time, are the Treaties of *Raſtadt* and *Baden*, inſerted in that Volume from p. 338 to p. 377.

In the Progreſs of the Conferences at *Raſtadt*, which were ſet on foot the 27th of *November* 1713, Prince *Eugene* perceiving that the *French* inſiſted on ſome Articles which had been rejected in the beginning of the Negotiations, and receded from ſeveral others that had been agreed upon, thought fit to break off the Conferences; and on the 7th of *February* ſet out from *Raſtadt*. It was then generally believ'd the War wou'd unavoidably be continued, and both Parties prepar'd for it: but the *French* Court, contrary to that Belief, receded from their former Declaration, and the Conferences were renew'd, which ended in the ſigning of the Treaty.

The ſame having been manag'd and concluded without the Formalities obſerv'd in the Empire, it was agreed that a Congreſs ſhould be held at *Baden* in *Swiſſerland*, to conclude a Treaty in the uſual Form between the Emperor and Empire on one part, and the moſt Chriſtian King on the other; and that the Intereſts of ſeveral Princes, which could not be taken into Conſideration at *Raſtadt*, ſhould be adjuſted in that Congreſs. This Treaty was conducted with as much Secrecy as that of *Raſtadt*; no Miniſters except the *French* and Imperialiſts were admitted to the Conferences, on pretence of Diſpatch: but it appear'd too evidently that this was a Pretence to cover the very diſhonourable Part that was acting therein againſt the Proteſtants, contrary to the Word and Engagements of the treating Parties.

The

The fatal Clauſe about Religion, inſerted formerly in the fourth Article of the Treaty of *Ryſwick*, by the Artifices of a Bigot Renegado, the Count *de Seyſtem*, one of the Imperial Plenipotentiarys, had been ſo much exclaim'd againſt by the Proteſtants of the Empire, that the Emperors *Leopold*, *Joſeph*, and his preſent Imperial Majeſty, had ſolemnly promis'd, that the Affairs of Religion ſhou'd be regulated in the ſucceeding Treatys, according to the Tenor of the Peace of *Weſtphalia*. This was ſo material an Article, that the late Queen of *Great Britain*, the King of *Pruſſia*, and the States General, made it a particular Convention with the moſt Chriſtian King, in their reſpective Treatys concluded with him at *Utrecht*, that he ſhou'd conſent to it: and yet Prince *Eugene* and the Marſhal *de Villars* confirm'd that Clauſe by the third Article of the Treaty of *Raſtadt*.

The Proteſtants were univerſally aſtoniſh'd at this Proceeding, and cou'd ſcarce believe it. They made a great noiſe of this Infidelity, as they juſtly ſtyl'd it; and therefore they demanded a Reſervation in the Powers given to the Imperial Miniſters for managing the Treaty of *Baden*, that the Affairs of Religion ſhou'd be reſtor'd according to the Tenor of the Peace of *Weſtphalia*. The Imperialiſts foreſaw the ill Conſequences of directly oppoſing the Proteſtants; and therefore they ſeem'd to concur with them, and aſſur'd 'em that the Emperor wou'd give ſuch Inſtructions to his Miniſters, that their Grievances, occaſion'd by the Treatys of *Ryſwick* and *Raſtadt*, ſhou'd be redreſs'd in that of *Baden*; but that the ſaid Reſervation ought not to be mention'd in the full Powers of the Diet, becauſe the *French* wou'd not enter into any Negotiation, if the Power of the Imperialiſts was not as unlimited as theirs. Thus they gain'd that Point; and notwithſtanding the many Repreſentations made to the Emperor,

and the Sollicitations of the Miniſters of the Proteſtant Powers at *Augsburg* and *Baden*, the 4th Article of the *Ryſwick* Peace was confirm'd at *Baden*.

The Concluſion of the Treaty of *Baden* open'd a new Scene of Negotiations; for the Emperor demanded immediately to be put in poſſeſſion of the *Netherlands*: but the States inſiſting that their Barrier might be adjuſted in the firſt place, Conferences were accordingly ſet on foot at *Antwerp*, where that Treaty was concluded which begins our 4th Volume: A Treaty the more remarkable, becauſe of the Induſtry with which it was oppos'd by thoſe, who knew how much the Re-eſtabliſhment of a good Harmony between the Emperor, *Great Britain* and the *Dutch*, might diſappoint their Deſigns.

The Treaty of Commerce, which was concluded a Month after with *Spain*, (in Vol. IV. p. 80.) was one of the moſt material Occurrences of that Year; and ſhew'd not only the tender Concern of King *George* I. for his Subjects, but the Intereſt he had amongſt his Neighbours, in obtaining what was repreſented in the Reign of Queen *Anne* as altogether impoſſible. For the *Spaniards* being convinc'd that *Great Britain* had reaſon to complain of three Articles that were tack'd to the Treaty of *Utrecht*, in relation to Commerce, King *Philip* made this new Treaty with the late King, for revoking thoſe Articles, and removing all other Grievances in Trade.

'Tis obſervable that the Declaration of the *French* Court againſt the Proteſtants (in p. 129.) was little expected in *France* at that Juncture, eſpecially when they had ſo lately ſuffer'd ſuch a Depopulation by a War, Famine and Peſtilence: and it was thought very impolitick, even by ſome Roman Catholicks, who had ſeen and felt the ill Conſequences of the Revocation

cation of the Edict of *Nantes*, which forc'd ſo great a number of People to leave their native Country, and carry away their Fortunes, Induſtry and Ingenuity, to other Nations.

It may not perhaps be altogether amiſs to ſhew what gave occaſion to that memorable Defenſive Alliance concluded at *Hannover* in 1725, between *Great Britain*, *France* and *Pruſſia*, which is inſerted in Vol. IV. p. 146.

The Emperor and the King of *Spain* having engag'd, by their Acceſſion to the Quadruple Alliance, to refer their remaining Differences to a Congreſs, under the Mediation of *Great Britain* and *France*; in the midſt of this Congreſs, and whilſt ſome Differences were hotly agitated between theſe two Princes, relating to the Pretenſion of the Duke of *Parma*, which the Mediators were endeavouring with all their Skill and Temper to make up; without the leaſt Provocation from the ſaid Mediators, the King of *Spain* ſent a Miniſter clandeſtinely to *Vienna*, who there enter'd into, and perfected Treatys of Peace and Commerce with the Emperor, in Violation of the Quadruple Alliance, and of the Honour of the Mediating Powers. This juſtly alarm'd the two Courts of *Great Britain* and *France*: They preſently diſcover'd the Nature and pernicious Conſequences of this Peace, and of a Treaty of Commerce plainly founded on the Violation of former Treaties of Commerce, and threatening the Ruin of the *Britiſh* Trade to the *Indies*, hitherto enjoy'd excluſively of the *Auſtrian Netherlands*, under all the Sanctions that Princes and States can give to one another: And they were not long unappriz'd of other more ſecret Engagements between the two Powers of *Germany* and *Spain*. The Courts of *Great Britain* and *France* therefore, upon this ſudden and unexpected Turn of Affairs, renew'd their former Treatys;

Treatys; and thought it high time to provide for their own ſafety by this new Alliance at *Hannover*, to which they alſo invited other Powers. Accordingly the *Dutch* and *Swedes* acceeded to it, as we find by their Acts in p. 153, and 162. but the *Dutch* came into it long before the *Swedes*, for they plainly ſaw that the Ruin of their Trade, and of their whole Republick (which depends upon Trade) wou'd be inevitable, if the new Treaty of Commerce made at *Vienna* ſhould be put in Execution.

The Treaty of *Seville* (in the ſame Volume, p. 201.) was concluded at a time, when his preſent Majeſty, by his wiſe and ſteddy Conduct, had given ſo happy a Turn to the Affairs of *Europe*, that the Courts of *Vienna* and *Madrid* ſeem'd equally deſirous of being reconcil'd to him; and his Majeſty's preferring an Alliance with *Spain*, was a ſtrong Proof that the Intereſts of *Great Britain* had the chief Place in his Thoughts. His Majeſty might certainly have promis'd himſelf, not only Security, but even great Advantages to his *German* Territorys, from a Reconciliation with the Emperor; while, on the contrary, he expos'd himſelf to ſome Marks of Reſentment in thoſe Parts. But the Conſideration of ſuch Dangers made no Impreſſion upon him, nor in the leaſt influenc'd his Determination as to the Part he was to take: He ſaw that *Great Britain*, as to herſelf, wou'd have nothing to apprehend from the Emperor after his Separation from his Catholick Majeſty; and the Advantages accruing to this Nation in point of Trade and Commerce, were too obvious for him to heſitate a moment in cloſing with *Spain*.

By this Treaty the Nation was extricated happily, and without a War, from the Difficultys which the *Vienna* Treaty, and ſome other Incidents previous to it, had involv'd us in. There never was in all probability a nicer Juncture of Affairs, or that requir'd

requir'd more Care in Miniſters, greater Diſcernment, or cloſer Attention; nor were there ever any who diſcharg'd all theſe Parts better for the Honour of the King, and the true Intereſt of their Country. This Treaty remov'd all the Grievances we before complain'd of, which were reducible to theſe two Points; the Violation of former Treatys with reſpect to our Commerce, and with reſpect to our Poſſeſſions. But both theſe Points were hereby ſecur'd as far as cou'd be done by Treatys, by reinforcing and re-eſtabliſhing all former Treatys, in as ample manner as if they had been inſerted in the preſent Treaty at full length. Commerce and Poſſeſſions were conſequently reſtor'd to the ſame Foot in all Reſpects, that they were upon before the unhappy Differences.

Nor is this all: By the 2d Article, the contracting Powers engaged in the reciprocal Guaranty of the Kingdoms, Places, and *Dominions under their Obedience.* ——Dominions, *&c.* is as ſtrong an Expreſſion as cou'd well be us'd, ſince it carrys more in it than bare Poſſeſſion, and implies a Right: and 'tis worth obſerving, that the *Dutch* in their Act of Acceſſion to this Treaty (p. 209.) were ſo little apprehenſive of any latent Deſign or dormant Claim of the *Spaniards*, in the Word *Poſſeſſions* not being here made uſe of, that in the reciting part of this Article they have added it; which plainly ſhews in what Senſe they underſtood the Guaranty thereby ſtipulated. In ſhort, we obtain'd by this Treaty all we had a Right to demand, and all that we wanted: A Confirmation of former Treatys, and Satisfaction promis'd for Damages done to our Merchants in violation of 'em.

As to the Succeſſion therein ſtipulated for *Don Carlos*, it was in this reſpect a mere Copy of the Quadruple Alliance, with this Variation only, that 6000 *Spaniards* were to gariſon the Places nam'd in the Treaty, to be paid by *Spain*, inſtead of 6000 *Swiſs* to be paid by the

the contracting Powers equally; which was a very neceſſary Variation, to ſecure the Points intended to be provided for by that Alliance, as the Event plainly ſhew'd: and *Spain* had great reaſon to inſiſt on this Variation, becauſe 12 Years had elaps'd ſince the Quadruple Alliance was made, by which 6000 *Swiſs* were forthwith to gariſon thoſe Places; and yet in all that time nothing had been done towards it, not one *Swiſs* ſent, and the Succeſſion of thoſe Dominions continued as much expos'd as it did before the Quadruple Alliance was thought of.

The following ſmall Genealogical Table ſhews the Right of *Don Carlos* to inherit the Dominions of *Tuſcany* and *Parma*.

Tuſcany. — *Parma.*

Coſmo Great Duke. — *Ranutius* I.

Margaret, marry'd to —— *Odoardo* I.

Ranutius II.

Odoardo II.

Elizabeth Queen of *Spain*.

Don Carlos.

The laſt Treaty which we have inſerted in order of Time, is That betwixt the Electors of *Saxony* and *Hanover*, in p. 248. It was negotiated by Sir *Luke Schaub*, and ſeems to point at three things. 1. The Preſervation of the two Electoral Houſes, by a particular Guaranty even of all their Forces, in caſe either of them ſhou'd be attack'd. 2. The Maintenance of the Laws and Conſtitutions of the Empire, if they ſhou'd happen to be violated by any Force.

And,

And, 3. The maintenance of the Dignity and Safety of the Emperor and the whole Empire.

We ſhall conclude the whole with the very judicious Reflections of the Author of a Tract juſt publiſh'd, intitled, *The Natural Probability of a laſting Peace in* Europe, *&c.*

"We enjoy at preſent the moſt perfect, univerſal "and eſtabliſh'd Tranquillity. We behold not only "*Great Britain* at Peace, and on the moſt amicable "Terms with all her Neighbours, but all her Neigh-"bours are at the ſame time diſpos'd in the ſtrongeſt "manner to live well with each other. We are not "only happy in a good Underſtanding with other "Nations, but thoſe Nations likewiſe are now with-"out Quarrels and Diſputes among themſelves. So "that as we have no Proſpect of War or Contention by "Differences of our own; neither are we likely to be "drawn into Danger by the Diſagreements, the Rup-"tures, or Commotions of others.

"This moſt advantageous Situation is what we have "very ſeldom ſeen, what we hope will long continue, "and what we conceive to be ſecur'd by the moſt effec-"tual, the beſt contriv'd means in the World. We can-"not look back to any particular Period within a long "Courſe of Time, when *Europe* was bleſt with ſuch uni-"verſal Quiet, and with ſuch reaſonable Hopes of its "long extended Duration. Almoſt every Peace that "hath been made in *Europe*, ſince the Reſtoration of "*Charles* II. ſeems to have been in its Nature, as "well as in its Conſequence, no better than a "ſhort Ceſſation of Arms; and whoever looks into "the Treatys which were deſign'd to compoſe the "Quarrels of Princes then at Variance, may eaſily "ſee their Differences far from being finiſh'd, and "thoſe unfiniſh'd Differences big with new Calami-"tys. But we have now the Happineſs to ſee the "Plan of Power ſo well deſign'd, the Limits ſo

" well bounded, and ſo ſtrongly fenc'd, the ſeveral " Princes of *Europe* ſo well ſatisfy'd with their re- " ſpective Conditions, ſo powerfully diſpos'd to live " peaceably within themſelves, and ſo very far from " being either intereſted or inclin'd to make Incroach- " ments on their Neighbours, that we may indulge " all thoſe Pleaſures which good Minds are capable of " conceiving on ſo agreeable a Proſpect; ſince no " Season ever beheld a Peace more univerſal, nor " did any Conjuncture of Affairs ever promiſe a Peace " more eſtabliſh'd and laſting.

" We ſee the Crowns of *Great Britain* and *France* " mutually diſpos'd to live in perfect Amity; and " reciprocally employing themſelves in all the Offices " of Friendſhip to each other. We ſaw, during the laſt " Summer, when the Enemys of Peace were labour- " ing to create Jealouſys and Diſtruſts between the " two Courts, that the *French* ſhew'd the Sincerity " of their Deſires to join the *Britiſh* Miniſters in every " thing that might improve true Harmony between " *Great Britain* and *France*: In conſequence of which, " the *French* gave new orders for demoliſhing the leaſt " Works which cou'd have been made towards re- " pairing *Dunkirk*, and likewiſe caus'd their Subjects " to evacuate the Iſland of *Santa Lucia* intirely.

" We ſee the Emperor at the ſame time in cordial " Friendſhip with his Majeſty, perfectly eaſy in all " his Affairs with *France*, at no ſort of variance with " *Spain*, but on the contrary their valuable Friend and " Ally, as abſolutely neceſſary to ſupport the Suc- " ceſſion granted to *Don Carlos* in *Italy*. We ſee the " Imperial Succeſſion, on failure of the Male Line " in the Houſe of *Auſtria*, ſettled in a manner per- " fectly conſiſtent with the Safety and to the Satisfac- " tion of *Europe*: Proviſion having been made by " a private Article in the laſt Treaty of *Vienna*, that " if the Archdutcheſſes marry in ſuch a manner as

" to

" to aggrandize any of the great Powers, or to ha-
" zard the Balance of *Europe*, the Guaranty ſhall
" be void. We know that on account of this Suc-
" ceſſion, thus eſtabliſh'd by our Aid and Concur-
" rence, the Imperial Court muſt always be ſincere-
" ly allied with *Great Britain*, from the Nature and
" Terms of our Guaranty and Support. We like-
" wiſe ſee from the ſame Settlement, that there was
" certain Truth in the Information publiſh'd by Au-
" thority a few Years ago, that an Infante of *Spain*
" was deſign'd by the *Spaniſh* Court to have been
" diſpos'd of in Marriage with the eldeſt *Caroline*
" Archduchess; becauſe the *Spaniſh* Court readily
" guaranteed the *Pragmatick Sanction*, or the Settle-
" ment of the Succeſſion to the *Auſtrian Hereditary*
" *Countrys*, when they hop'd that it wou'd operate
" in favour of a Prince of their Blood, whereas they
" now decline the Renewal of that Guaranty; and
" tho they are not any ways averſe, yet are become
" wholly indifferent to it, ſince they have no longer
" hopes of that kind, and actually ſee that this *Prag-*
" *matick Sanction* is to operate in another manner.

" We moreover ſee the *Dutch*, our antient and faith-
" ful Allies, acceding to our Treatys, and concurring
" in the ſame Guaranty of the *Pragmatick Sanction*.
" To the ſame Guaranty the Crown of *Spain* former-
" ly, and the Diet of the Empire ſince, have reſpec-
" tively acceded: And all the Princes of *Europe*,
" whether they guarantee the Settlement or remain
" Neuter, agree that it is for the Intereſt of *Europe*,
" and is the univerſal Intention of her Powers, that the
" *Auſtrian Hereditary Countrys* ought to remain *indivi-*
" *ſibly united*. This Settlement hath been ſworn to by
" all the *Collateral Branches* of that Family, who have
" by Oath, as well as Compact, renounc'd their re-
" ſpective Claims, which interfere with this *Order of*
" *Succeſſion*. And if it be objected, that *Great Britain*

" and

" and the States General are the only Powers who " immediately act in favour of the *Pragmatick Sanction*, " let it be answer'd, that the Emperor is content with " this, he wants no other Aid; he desires no stronger " Guaranty. It shews the Reputation of our Faith " and our Power. If none other act immediately " for him, yet there are none at all who act against " him: And even if there were any Princes dispos'd " to act against him, yet let it be remember'd that " this Conjunction of the *British* Nation, the House " of *Austria*, and the States General, is the same Grand " Alliance, whose former Union made the World trem- " ble, and whose Power in War is so well known, " that the Peace of *Europe* wants no better Protec- " tion.

" *Lastly*, Let us turn our Eyes to *Spain* and *Italy*; " the latter settled in Peace, and the former greatly " oblig'd by that very Settlement; a Prince of *Spain* " peaceably introduc'd into *Tuscany*, with the Consent " of all Partys, under the Protection of *Great Britain*, " the States General and the Emperor, invested like- " wise with the Duchy of *Parma*, and receiv'd in *Tus-* " *cany* as next in Succession to the reigning Great " Duke. Thus no Disputes remain concerning *Italy*; " whilst at the same time the Court of *Spain* is, from " this very Settlement of *Italy*, oblig'd to live in per- " fect Friendship with the *British* and Imperial Courts. " *Spain* must of natural Choice preserve a good under- " standing with them, if it were only for the sake " of that Succession which the *Spanish* Court have " always had so much at Heart, which they have la- " bour'd for many Years to effect at the Expence of " all their other Interests, and which they cannot " be easily tempted to risque, or forfeit, in disoblig- " ing those Powers by whom it was settled, and on " whom it depends.

" This is the present Situation of our Affairs, and " no Time cou'd ever produce one more promising of

" *lasting*

" *laſting Peace.* If human Happineſs could be perma-
" nent, no Combination of Circumſtances ever ſeem'd
" more likely to fix our Felicity; and tho we ought
" not to flatter ourſelves with more than can be
" expected from the Nature of things, yet we ſee no
" Cauſe from preſent Appearances, or from common
" Foreſight of future Events, to doubt that *Europe*
" will enjoy Tranquillity for a long Time to come;
" which, with regard to our own Country, is the
" brighteſt Glory that can adorn this Reign, as it is
" the greateſt Good that can attend this Nation."

N. B. While this Work was printing, we receiv'd ſome important neceſſary Pieces, which cou'd not be plac'd in Chronological Order, and therefore we were oblig'd to inſert them at the end of the IVth Volume, by way of Supplement.

ERRATA in VOL. III.

PAGE 8, 9, 11, in Title, for 1646 read 1645. P. 12. l. 6. r. *Preferments.* l. 10 r. *Agreements.* P. 37. l. 27. for *towards* r. *to.* P. 47 l. 7. for *who were* r. *which was.* P. 48. l. 8. from bot. for *exempted* r. *excuſed.* P. 94. l. 27 dele *chief.* P. 119, and the 9 following pages, the running Titles are printed wrong, and ſhou'd have been, *Determination of Differences between the* Engliſh *and* Dutch India *Companys.* P. 141. l. 19. for *Parts* r. *Ports.* P. 144. l. 9. for 1645 r. 1654.

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PAGE 158. l. 1. for *firſt* r. *fourth.* P. 200. l. *penult.* for *Homen* r. *Thaun.* P. 301. in the running Title, for 1672, r. 1699.

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I. ALL Perſons whatſoever are forbid, on pain of Death, to make Repriſals on the Eſtates of the Catholicks, whether *Iriſh*, *Engliſh*, or *Scots*, or of any other Nation whatſoever ſettled in this Kingdom, or to do them any Damage; ſuch excepted as are declar'd Enemies to the common Cauſe, or who ſhall refuſe to take Arms for its Defence: And even in the latter Caſe, Perſons are prohibited in like manner, under the ſame Penalty, to hurt the ſaid Catholicks, without an expreſs Order of the Committee and the Directors or Intendants of Juſtice.

II. Thoſe of either Sex, who have hitherto made Profeſſion of the Proteſtant Religion, that ſhall enter into the Pale of the Church of *Rome*, ſhall receive no Damage in their Perſons nor Eſtates as long as they perſevere in that Faith. Nevertheleſs, for preventing all manner of Frauds which may happen on that Account, they ſhall within

within ſix Months, give up the Caſtles and Forts which belong to them, and which are of importance to the Security of the Common Cauſe, into the Hands of the Directors, who ſhall be accountable to them for the Revenues of the ſaid Places.

III. If it happen in a Family that the Husband be a Catholick and the Wife a Proteſtant, no Damage ſhall be done them in their Goods and Chattels; but if the Husband be a Proteſtant and the Wife a Catholick, one third of the Eſtate, according to the Settlement of the Husband, ſhall be taken up for the Nouriſhment and Maintenance of the Wife, and as much ſhall alſo be levy'd on the other two thirds as ſhall be thought convenient by the ſaid Directors, for the Support of their Children.

IV. The Impoſts, Revenues, Rights, and Temporal Prerogatives of the King of *Great Britain*, ſhall be ſtrictly preſerv'd and maintain'd, and all his Subjects and Debtors punctually oblig'd to pay them to his Majeſty's ordinary Agents and Receivers, for his Uſe, and for his Service.

V. There ſhall be no Diſtinction made between the Native *Iriſh* and the *Engliſh* of old Standing in *Ireland*, or any other true Catholick whatſoever; but they ſhall be conſider'd all alike, and advanc'd to Offices and Dignitys, according to their Merit, provided they are loyal to the King, and that they promote and maintain the Common Cauſe of the ſaid Religion to the utmoſt of their Power.

VI. All Perſons whatſoever are forbid to go out of the Limits of their reſpective Territories for the ſake of Forraging, without an expreſs Order from the Directors.

VII. Thoſe who ſhall be put in poſſeſſion of the Eſtates of their Country-men of the contrary Party, ſhall be oblig'd to leave the Adminiſtration thereof to the Directors, or to give an Account of the whole, or at leaſt to be reſponſible for the greateſt part thereof. And, in the former Caſe, the ſaid Directors ſhall give them a proportionable Recompence; as, on the other hand, ſuch Uſurpers as ſhall be convicted of dealing otherwiſe, ſhall be condemned to pay double the value of the ſaid Eſtates to the Common Cauſe.

VIII. All Perſons whatſoever are forbid, on pain of Death, to ſeize, under colour of War, or any other pretence whatſoever, any Houſe or Family of what condition ſoever, where any Perſon happens to make open profeſſion of the Proteſtant Religion, provided the ſame be not a declared

declared Enemy to the Common Cauſe, without an expreſs Order for it from the Directors; and if any Perſon has heretofore acted to the contrary, he ſhall be oblig'd to make Reſtitution of the ſaid Eſtates to thoſe whom they belong to, upon the firſt Demand.

IX. All manner of Perſons indifferently, of what condition ſoever they be, ſhall contribute, in proportion to their Eſtates in each Province, to the Neceſſitys of the Common Affairs of ſuch Province, ſuch Sums as the Directors ſhall aſcertain by a Majority of Voices, on the Penalty of paying a Fine to which they ſhall be condemn'd.

X. All Perſons whatſoever are forbid, on pain of Death, to raviſh or deflower any marry'd Woman, Widow, or Maid, Catholick or Proteſtant; or to ſtrip any Man, Woman, or Child, of what Religion ſoever, of their Clothes.

XI. As often as any Caſtle or ſtrong Place ſhall happen to be taken by Compoſition, the Breach of the Articles and of the Terms of the Capitulation ſhall be look'd upon as a capital Crime, as alſo if the Number of thoſe who enter it be greater than was at firſt agreed on, or if a part of the Booty be conceal'd, or remov'd, and apply'd to a particular Uſe; but the whole ſhall be left to the diſpoſal of the Directors, to be employ'd with the ſtricteſt Equity in the Subſiſtence of the Soldiers.

XII. All Soldiers, and others, are forbid to ſteal, ſpoil, or burn the Fruits or Houſes of the Enemy, or to commit any thing like it, without the expreſs Command of the Directors.

XIII. They are likewiſe forbid on the ſame Penalties to rob Artificers, or the Merchants of the Country, or Foreigners, there exerciſing their Art and Trade, or to do them any Injury in their Goods or Perſons; and the Directors ſhall take them under their ſpecial Protection and Safe-guard, ſo long as they do nothing to betray the Common Cauſe, and only meddle with their own Buſineſs.

XIV. All Peaſants or other Perſons who are not inliſted or have no Commiſſion to officiate for another, and that are not in the Catholick Armies of the Country, are forbid, under the ſame Penalties, to quit their Profeſſion for the ſake of bearing Arms; on the contrary, they are enjoyn'd to continue the Exerciſe of their Arts and La-

bour, unleſs they have a Certificate from ſome Perſon of Conſideration, expreſly denoting the Places whence they came, and whither they are going.

XV. Thoſe Catholicks who refuſe to concur with, and give Aſſiſtance to the Common Cauſe, ſhall be proceeded againſt in the ſame manner as if they were Proteſtants, but not without the Order of the Directors.

XVI. All the Agents and Farmers of the Catholicks, of whatever Religion they are, who ſhall delay or refuſe to pay the annual Rents and Revenues, ſhall be ſeverely puniſh'd, according to the diſcretion of the Directors.

XVII. The Directors ſhall be oblig'd to meet once a fortnight in ſome convenient Place, provided it be not on a Sunday or Saint's-Day, in which caſe the Meeting ſhall be put off till the next Day, for determining all Differences, for appeaſing all Diſturbances, and for preventing diſorders which commonly happen in all new Undertakings.

XVIII. Laſtly, All Perſons are forbid, on pain of Death, to carry or ſend Proviſions to ſuch Places as are in the Hands of the Enemy, or to have any Correſpondence by word of Mouth or Writing with the Leaders, or with the Soldiers of the contrary Party, in prejudice to the Common Cauſe.

The Form of the Oath of the Iriſh *Catholick Rebels.*

IN the Name of the Father, Son, and Holy Ghoſt, I promiſe, vow and ſwear, to defend the Holy *Roman* Catholick Faith to the utmoſt of my Power, and not to procure or ſuffer any Perſon deliberately, from hopes of Recompence, or deſire of Revenge, to do any Prejudice to any *Roman* Catholick of *Ireland*, *Scotland*, or of any other Nation whatſoever, who has freely expoſed his Eſtate, Liberty, and Life, for the maintenance of this Union; on the contrary, to reſent any Injury that ſhall be offer'd to any Legate whomſoever as done to myſelf, and do hereby ſwear to procure, to the utmoſt of my Ability, ſuch Satisfaction as ſhall be ſutable to the Dignity of the Perſon offended. I likewiſe acknowledge, and declare in my Conſcience, that *Charles*, our moſt Serene King and Governor, is the lawful and Sovereign Lord of this Realm; that

that I will always to him, and his lawful Heirs and Succeſſors, yield true Allegiance, Subjection, and Obedience; and that I will, to the utmoſt of my Power, maintain and preſerve him, and his lawful Heirs and Succeſſors, in the juſt Rights and Prerogatives of his Crown againſt all Foreign Potentates, Princes and States, and alſo againſt all Treaſonable and Sacrilegious Machinations at Home. I likewiſe promiſe to obſerve all the Laws and Statutes made for the Good of this Realm, and for the Liberty of the Subjects, provided the ſame are not contrary to the *Roman* Catholick Religion, and if poſſible, not to give any occaſion to change any thing therein without the Authority of our Parliament; and likewiſe to employ the utmoſt of my Power to deliver my Country from the Oppreſſion of bad Governors; and not to make any Diſtinction between the antient *Engliſh* and the true *Iriſh*, or any other *Roman* Catholicks, of what Nation ſoever, comprehended in this Union: In which, maugre the Devil, and all the Furies of Hell, I will inviolably perſevere to the laſt drop of my Blood. I likewiſe promiſe not to offer the leaſt Injury to the aforeſaid Catholicks, not to touch their Patrimony, nor uſurp their Lands in the Courſe of this War; and, in caſe of any Diſpute and Conteſt with them, to wait for the Determination thereof, when theſe Diſturbances are accommodated. And that I may be the more devoted to the Common Cauſe, I finally promiſe to abandon all private Quarrels, Jealouſies, and other Differences, preſent or future, that ſhall happen during theſe Diſturbances. So help me God, and the Holy Evangeliſts, upon whom I take this voluntary Oath.

A Treaty of Truce between the Iriſh *Royaliſts, and the Parliamentarians, in* December, 1643.

MY Lord *Donogh*, Viſcount of *Muskerry*, in the Name of all the Catholicks of *Ireland*, and the Marquiſs of *Ormond*, General of his Majeſty's Forces in *Ireland*, reſpectively promis'd the Parliamentarians of *England* as follows:

I. No Hindrance, Injury, or Moleſtation ſhall be given to the Ships that come into the Ports of *Ireland* for maintaining a Commerce of Arms, Proviſions, and other Commodities between the two Parties, provided that thoſe Ships which come under the Protection of the Parliament be furniſh'd with a Paſſport from the King, his Admiral, or Vice Admiral, or the Governor of ſome Port of *England*.

II. All the Towns, Places, Ports, Caſtles, and other Territorys in the Province of *Leinſter*, of which the two Parties are in Poſſeſſion, ſhall be compris'd in the Treaty, with the reſpective Promiſe of the two Leaders abovemention'd, that there ſhall be no Innovation during the Suſpenſion of Arms.

III. The Corn ſown thro'out the Province of *Leinſter*, ſhall be gather'd in by thoſe who ſow'd the Lands, except one fourth part of it, which ſhall be laid by for the Gariſon of the Place in whoſe Territory the Lands are ſituate.

IV. The ſame Regulation ſhall be obſerv'd in the Provinces of *Munſter*, *Ulſter*, and *Connaught*; and moreover, the Governors of the Places that ſhall be put under the Protection of the ſaid *Roman* Catholicks, ſhall pay no Contribution to their Protectors; and the two Generals promiſe, that they ſhall not be moleſted either in their Perſons or Quarters, during the Ceſſation of Arms.

V. If there be any Infringer of the preſent Treaty in any one of the ſaid Provinces, no Aſſiſtance ſhall be given him from either ſide, but on the contrary, he ſhall

be puniſh'd; and whenever this happens, it ſhall not be taken for a Breach of the ſaid Suſpenſion of Arms in the other Provinces of the Kingdom, which ſhall conform to the ſaid Treaty, and no occaſion ſhall be taken from thence to commit Acts of Hoſtility; and the Party that ſhall keep within the Bounds preſcrib'd by the preſent Treaty, may depend on it that the Lieutenant Generals of that Party to which the Infringer belongs will bring him to condign Puniſhment.

VI. For the Security of the ſaid Truce, Hoſtages ſhall be given on both ſides ſix Days after the Publication of the Treaty.

VII. The Marquiſs of *Ormond* promiſes to ſet all the Priſoners at Liberty, even thoſe that ſhall be convicted of capital Crimes, upon their giving ſufficient Bail.

VIII. A ſafe Conduct ſhall be granted to the Catholicks, in order for their ſending ſuch Agent as they ſhall think proper to his Majeſty.

IX. All the Goods and Chattels ſeiz'd on both ſides by way of Repriſal, before the Publication of the Truce, and which remain in kind, ſhall be reſtor'd to their lawful Poſſeſſors; and after the Publication, all the Eſtates ſeiz'd on account of the preceding War, ſhall be reſtor'd upon the firſt Demand, with all Damages and Intereſt.

A Treaty with the Roman *Catholicks of* Ireland, *for the free Exerciſe of their Religion*, 1646.

WHereas much time hath been ſpent in Meetings and Debates betwixt his Excellency *James* Lord Marquiſs of *Ormond*, Lord Lieutenant and General Governor of his Majeſty's Kingdom of *Ireland*, Commiſſioner to his moſt excellent Majeſty, *Charles*, by the Grace of God, King of *Great Britain*, *France* and *Ireland*, &c. for the Treating and Concluding of a Peace in the ſaid Kingdom with his Majeſty's humble and loyal Subjects, the Confederate and *Roman* Catholicks of the ſaid Kingdom of *Ireland* of the one part; and the Right Honourable *Donogh* Lord Viſcount *Muskerry*, and other Commiſſioners deputed and authorized by the ſaid Confederate *Roman* Catholick Subjects of the other part; and thereupon many Difficulties did ariſe, by occaſion whereof ſundry Matters of great Weight and Conſequence neceſſarily requiſite to be condeſcended unto by his Majeſty's ſaid Commiſſioners, for the ſafety of the ſaid Confederate *Roman* Catholicks, were not hitherto agreed upon, which retarded, and doth as yet retard the Concluſion of a firm Peace and Settlement in the ſaid Kingdom. And whereas the Right Honourable *Edward* Earl of *Glamorgan* is intruſted and authorized by his moſt Excellent Majeſty, to grant and aſſure to the ſaid Confederate Catholick Subjects further Grace and Favours, which the ſaid Lord Lieutenant did not as yet in that Latitude as they expected grant unto them; and the ſaid Earl having ſeriouſly conſidered of all Matters and due Circumſtances of the great Affairs now in agitation, which is the Peace and Quiet of the ſaid Kingdom, and the Importance thereof, in order to his Majeſty's Service, and in relation to a Peace and Settlement in his other Kingdoms; and here upon the Place having ſeen the ardent deſire of the ſaid Catholicks to aſſiſt his Majeſty againſt all that do or ſhall oppreſs his Royal Right or Monarchick Government; and having diſcerned the

the Alacrity and Chearfulness of the said Catholicks to embrace Honourable Conditions of Peace, which may preserve their Religion and other just Interests. In pursuance therefore of his Majesty's Authority under his Highness's Signature Royal and Signet, bearing Date at *Oxon* the 12th day of *March* in the twentieth Year of his Reign, granted unto the said Earl of *Glamorgan*, the Tenor whereof is as followeth, *viz.* *Charles* Rex. *Charles*, by the Grace of God, King of *England*, *Scotland*, *France* and *Ireland*, Defender of the Faith, *&c.* To our Trusty and right Well-beloved Cousin *Edward* Earl of *Glamorgan*, greeting: We reposing great and especial Trust and Confidence in your approved Wisdom and Fidelity, Do by these (as firmly as under our Great Seal to all Intents and Purposes) authorize and give you Power to treat and conclude with the Confederate *Roman* Catholicks in our Kingdom of *Ireland*, if upon necessity any thing be to be condescended unto, wherein our Lieutenant cannot so well be seen in, as not fit for us at the present publickly to own: therefore we charge you to proceed according to this our Warrant with all possible Secrecy, and for whatsoever you shall engage yourself upon such valuable Considerations, as you in your Judgment shall deem fit; We promise in the Word of a King and a Christian, to ratify and perform the same that shall be granted by you and under your Hand and Seal; the said Confederate Catholicks having by their Supplies testified their Zeal to our Service; and this shall be in each Particular to you a sufficient Warrant. Given at our Court at *Oxford*, under our Signet and Royal Signature the 12th day of *March*, in the twentieth Year of our Reign, 1644. To our right Trusty and right Well-beloved Cousin *Edward* Earl of *Glamorgan*. It is therefore granted, accorded and agreed, by and between the said Earl of *Glamorgan*, for and on the behalf of his most excellent Majesty, his Heirs and Successors on the one part; and the Right Honourable *Richard* Lord Viscount *Mountgarret*, Lord President of the Supreme Council of the said Confederate Catholicks, the said *Donogh* Lord Viscount *Muskerry*, *Alexander Mac Donnel*, and *Nicholas Plunket*, Esq; Sir *Robert Talbot* Bar. *Dermot O Brien*, *John Dillon*, *Patrick Darcy*, and *Geffery Brown*, Esq; Commissioners in that Behalf appointed by the said Confederate *Roman* Catholick Subjects of *Ireland*, for and in the Behalf of the said Confederate *Roman*

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Catholick Subjects of the other part, in manner and form following; (that is to ſay)

I. It is granted, accorded and agreed by the ſaid Earl, for and in the Behalf of his moſt Excellent Majeſty, his Heirs and Succeſſors, That all and every the Profeſſors of the *Roman* Catholick Religion in the Kingdom of *Ireland*, of whatever Eſtate, Degree or Quality ſoever he or they be or ſhall be, ſhall for evermore hereafter have and enjoy within the ſaid Kingdom, the free and publick Uſe and Exerciſe of the ſaid *Roman* Catholick Religion, and of the reſpective Functions therein.

II. It is granted, accorded and agreed by the ſaid Earl, for and on the Behalf of his Majeſty, his Heirs and Succeſſors, That the ſaid Profeſſors of the *Roman* Catholick Religion, ſhall hold and enjoy all and every the Churches by them enjoyed within this Kingdom, or by them poſſeſſed at any time ſince the 23d of *October* 1641. and all other Churches in the ſaid Kingdom, other than ſuch as are now actually enjoy'd by his Majeſty's Proteſtant Subjects.

III. It is granted, accorded and agreed by the ſaid Earl, for and in the Behalf of his moſt Excellent Majeſty, his Heirs and Succeſſors, That all and every the *Roman* Catholick Subjects of *Ireland*, of what Eſtate, Condition, Degree or Quality ſoever, ſhall be free and exempted from the Juriſdiction of the Proteſtant Clergy, and every of them; and that the *Roman* Catholick Clergy of this Kingdom ſhall not be puniſhed, troubled or moleſted for the exerciſe of their Juriſdiction over their reſpective Catholick Flocks, in Matters Spiritual and Eccleſiaſtical.

IV. It is further granted, accorded and agreed by the ſaid Earl, for and on the Behalf of his moſt excellent Majeſty, his Heirs and Succeſſors, That an Act ſhall be paſſed in the next Parliament to be holden in this Kingdom, the Tenor and Purport whereof ſhall be as followeth, *viz.* An Act for the Relief of his Majeſty's Catholick Subjects of his Highneſs's Kingdom of *Ireland*: Whereas by an Act made in Parliament held in *Dublin* the ſecond year of the Reign of the late Queen *Elizabeth*, Intitled, *An Act reſtoring to the Crown the antient Juriſdiction over the State Eccleſiaſtical and Spiritual, and aboliſhing all Foreign Power repugnant to the ſame*; and by one other Statute made in the ſaid laſt mentioned Parliament,

Intitled,

Intitled, *An Act for the Uniformity of Common Prayer and Service in the Church, and the Adminiſtration of the Sacrament*, ſundry Mulcts, Penalties, Reſtraints and Incapacities, are and have been laid upon the Profeſſors of the *Roman* Catholick Religion in this Kingdom, in, for and concerning the Uſe, Profeſſion and Exerciſe of their Religion and their Functions therein, to the great Prejudice, Trouble and Diſquiet of the *Roman* Catholicks in their Liberties and Eſtates, and the general diſturbance of the whole Kingdom. For Remedy whereof, and for the better ſettling, increaſe and continuance of the Peace, Unity and Tranquillity of this Kingdom of *Ireland*; his Majeſty, at the humble Suit and Requeſt of the Lords and Commons in this preſent Parliament aſſembled, is graciouſly pleaſed that it may be Enacted, And be it Enacted by the King's moſt Excellent Majeſty, the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by Authority of the ſame, That from and after the firſt day of this Seſſion of Parliament, it ſhall and may be lawful to and for all the Profeſſors of the *Roman* Catholick Religion, of what Degree, Condition or Quality ſoever, to have, uſe and enjoy the free and publick Exerciſe and Profeſſion of the ſaid *Roman* Catholick Religion, and of their ſeveral and reſpective Functions therein, without incurring any Mulct or Penalty whatſoever, or being ſubject to any reſtraint or incapacity concerning the ſame; any Article or Clauſe, Sentence or Proviſion in the ſaid laſt mentioned Acts of Parliament, or in any other Act or Acts of Parliament, Ordinances, Law or Uſage to the contrary, or in any wiſe notwithſtanding. And be it alſo further Enacted, That neither the ſaid Statutes, or any other Statute, Act or Ordinance hereafter made in your Majeſty's Reign, or in the Reign of any of your Highneſs's moſt Noble Progenitors or Anceſtors, and now of force in this Kingdom; nor all, nor any Branch, Article, Clauſe and Sentence in them or any of them, contained or ſpecified, ſhall be of force or validity in this Realm, to extend to be conſtrued, or adjudged to extend in any wiſe to inquiet, prejudice, vex or moleſt the Profeſſors of the ſaid *Roman* Catholick Religion, in their Perſons, Lands, Hereditaments or Goods, for any Thing, Matter or Cauſe whatſoever, touching and concerning the free and publick uſe, exerciſe and enjoyings of their ſaid Religion, Function and Profeſſion. And be it

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ſo further Enacted and Declared by the Authority aforeſaid, That your Majeſty's *Roman* Catholick Subjects in the ſaid Realm of *Ireland*, from the firſt day of this Seſſion of Parliament, ſhall be, and be taken, deemed and adjudged capable of all Offices of Truſt and Advancement, Places, Degrees and Dignities, and Preferment whatſoever within your ſaid Realm of *Ireland*, any Acts, Statutes, Uſage or Law to the contrary notwithſtanding. And that other Acts ſhall be paſſed in the ſaid Parliament, according to the Tenor of ſuch Agreement or Conceſſions as herein are expreſſed; and that in the mean time the ſaid *Roman* Catholick Subjects, and every of them, ſhall enjoy the full Benefit, Freedom and Advantage of the ſaid Agreements and Conceſſions, and of every of them.

V. It is accorded, granted and agreed by the ſaid Earl, for and in the Behalf of his Majeſty, his Heirs and Succeſſors, That his Excellency the Lord Marquiſs of *Ormond*, Lord Lieutenant of *Ireland*, or any other or others authorized or to be authorized by his Majeſty, ſhall not diſturb the Profeſſors of the *Roman* Catholick Religion in their preſent poſſeſſion and continuance of the Poſſeſſion of their ſaid Churches Juriſdiction, or any other the Matters aforeſaid in theſe Articles agreed and condeſcended unto by the ſaid Earl, until his Majeſty's Pleaſure be ſignified for confirming and publiſhing the Grants and Agreements hereby articled for, and condeſcended unto by the ſaid Earl.

VI. And the ſaid Earl of *Glamorgan* doth hereby engage his Majeſty's Royal Word and publick Faith unto all and ſingular the Profeſſors of the ſaid *Roman* Catholick Religion within the ſaid Kingdom of *Ireland*, for the due obſervance and performance of all and every the Articles, Grants and Clauſes therein contained, and the Conceſſions herein mentioned to be performed to them.

VII. It is accorded and agreed, That the ſaid Publick Faith of the Kingdom ſhall be engaged unto the ſaid Earl, by the ſaid Commiſſioners of the ſaid Confederate Catholicks, for ſending ten thouſand Men to ſerve his Majeſty, by Order and Publick Declaration of the General Aſſembly now ſitting; And that the Supreme Council of the ſaid Confederate Catholicks ſhall engage themſelves to bring the ſaid number of Men Armed, the one half with Muskets, and the other half with Pikes, unto any Port within this Realm, at the Election of

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the ſaid Earl, and at ſuch time as he ſhall appoint, to be by him ſhipped and tranſported to ſerve his Majeſty in *England*, *Wales* or *Scotland*, under the Command of the ſaid Earl of *Glamorgan* as Lord General of the ſaid Army, which Army is to be kept together in one intire Body; and all other the Officers and Commanders of the ſaid Army are to be named by the Supreme Council of the ſaid Confederate Catholicks, or by ſuch others as the General Aſſembly of the ſaid Confederate Catholicks of this Kingdom ſhall intruſt therewith: In witneſs whereof, the Parties to theſe Preſents have hereunto interchangeably put their Hands and Seals the 25th day of *Auguſt*, 1645.

GLAMORGAN.

Signed, Sealed and Delivered in the Preſence of *John Somerſet*, *Jefferey Baron*, *Robert Barry.*

Copia vera collata fideliter cum Originali: Thomas Caſhel, Franc. Patricius, Waterford & Liſmore.

This is a true Copy of the Original found in the Archbiſhop of *Tuam*'s Carriage; compared by us, *Arthur Anneſley*, *Robert King.*

Articles

Articles of Peace between his Excellency James *Lord Marquiſs of* Ormond, *Lord Lieutenant General, and General Governor of his Majeſty's Kingdom of* Ireland; *and* Richard *Lord Viſcount* Mountgarret, Donogh *Lord Viſcount* Muskerry, *Sir* Robert Talbot *Baronet*, Dermot O Bryen, Patrick Darcy, Geffery Brown, *and* John Dillon, *Eſquires*, *July* 28, 1646.

Imprimis, It is concluded, accorded and agreed upon, by his Majeſty's ſaid Commiſſioner, for and on the behalf of his moſt Excellent Majeſty, and the ſaid *Richard* Lord Viſcount *Mountgarret*, *Donogh* Lord Viſcount *Muskerry*, Sir *Robert Talbot* Baronet, *Dermot O Bryen*, *Patrick Darcy*, *Geffery Brown*, and *John Dillon*, Eſquires, on the behalf of the ſaid *Roman* Catholick Subjects; And his Majeſty is graciouſly pleaſed, that it ſhall be provided by Act of Parliament to be paſſed in the next Parliament to be held in this Kingdom, That the Profeſſors of the *Roman* Catholick Religion in the ſaid Kingdom, or any of them, be not bound or obliged to take the Oath expreſſed in the Statute of *Secundo Eliz.* commonly called *the Oath of Supremacy*, And that the ſaid Oath ſhall not be tendred unto them, and that the refuſal of the ſaid Oath ſhall not redound to the prejudice of them, or any of them, they taking the Oath of Allegiance, *In hæc verba. I* A. B. *do truly acknowledge, confeſs, teſtify, and declare in my Conſcience before God and the World, That our Sovereign Lord King* Charles *is Lawful and Rightful King of this Realm, and of other his Majeſty's Dominions and Countries; and I will bear Faith and true Allegiance to his Majeſty, and his Heirs and Succeſſors, and him and them will defend to*

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the uttermoſt of my Power againſt all Conſpiracies and Attempts whatſoever, which ſhall be made againſt his or their Crown or Dignity, and do my beſt Endeavour to diſcloſe and make known unto his Majeſty, his Heirs and Succeſſors, or to the Lord Deputy or other Governor for the time being, all Treaſons or Traytorous Conſpiracies, which I ſhall know or hear to be intended againſt his Majeſty or any of them; and I do make this Recognition and Aeknowledgment heartily, willingly, and truly, upon the true Faith of a Chriſtian. So help me God, &c. So as by the ſame Act it be further Provided and Enacted, that if any *Roman* Catholick happen to be promoted, preſented or advanced to any Eccleſiaſtical Promotion, Dignity or Benefice according to the Form now uſed in the Proteſtant Church of *Ireland*, That the Freedom and Exemption aforeſaid ſhall not extend to any ſuch *Roman* Catholick; Or if any being Proteſtant, be advanced, promoted or preſented to any Eccleſiaſtical Benefice, Dignity or Promotion, ſhall afterwards happen to become a *Roman* Catholick, that the Freedom and Exemption aforeſaid ſhall not ſo far extend to any ſuch *Roman* Catholick, but that upon tender of the ſaid Oath, and refuſal thereof, he be for that Cauſe left ſubject to privation of the ſaid Benefice, Dignity or Promotion, according to the ſaid Statute. And it is further concluded, accorded and agreed, by and between the ſaid Parties, that for all Matters concerning the firſt Propoſition of the ſaid Catholicks, *viz.* That all Acts made againſt the Profeſſors of the *Roman* Catholick Faith, whereby any Reſtraint, Penalty, Mulct, or Incapacity, may be laid upon any *Roman* Catholick within the Kingdom of *Ireland*, may be repealed, and the ſaid Catholicks to be allowed the Freedom of the *Roman* Catholick Religion. That his Majeſty's ſaid *Roman* Catholick Subjects be referred to his Majeſty's gracious Favour and further Conceſſions: And that no Clauſe in theſe Articles ſhall or may hinder his Majeſty's ſaid *Roman* Catholick Subjects, or any of them from the Benefit of his Majeſty's further Graces and Conceſſions; and that no uſe ſhall be made of the Papers paſt on this Treaty, or any of them, concerning the ſaid firſt Propoſition, which may in any ſort hinder the ſaid *Roman* Catholick Subjects, or any of them, from his Majeſty's further Conceſſions; and that his Majeſty's ſaid Commiſſioner and other chief Governor or Governors for the time being, ſhall cauſe whatſoever ſhall be further directed by his Majeſty to be paſſed in Parlia-

Parliament, for and on the behalf of his ſaid *Roman* Catholick Subjects, to be accordingly drawn into Bills, and tranſmitted according to the uſual manner, to be afterwards paſſed as Acts in the ſaid Parliament.

II. It is further concluded, accorded and agreed upon, by and between the ſaid Parties, and his Majeſty is graciouſly pleaſed to call a new Parliament to be held in this Kingdom, on or before the laſt Day of *November* next enſuing, and that all Matters agreed on by theſe Articles to be paſſed in Parliament, ſhall be tranſmitted into *England*, according to the uſual Form, to be paſſed in the ſaid Parliament, and that the ſaid Acts ſo to be agreed upon, and ſo to be paſſed, ſhall receive no Alteration or Diminution here or in *England*: Provided, that nothing ſhall be concluded by both or either of the ſaid Houſes of Parliament, which may bring prejudice to any of his Majeſty's Proteſtant Party, or their Adherents, or to any of his Majeſty's *Roman* Catholick Subjects Party or their Adherents, other than ſuch things as upon this Treaty ſhall be concluded to be done, or ſuch things as may be proper for the Committee of Privileges of either or both Houſes to take Cognizance of, as in ſuch Caſes heretofore hath been accuſtomed, and ſuch other things as ſhall be propounded to either or both Houſes by the Lord Lieutenant, or other chief Governor, or Governor for the time being, during the ſaid Parliament, for the Advancement of his Majeſty's Service, and the Peace of the Kingdom, which Clauſe is to admit no Conſtruction, which may trench upon theſe Articles or any of them.

III. It is further concluded, accorded and agreed upon, by and between the ſaid Parties, And his Majeſty is further graciouſly pleaſed, that all Acts, Ordinances, and Orders made by both or either Houſes of Parliament, to the Blemiſh, Diſhonour, or Prejudice of his Majeſty's *Roman* Catholick Subjects of this Kingdom, or any of them, ſithence the 7th of *Auguſt*, 1641. ſhall be vacated, and that the ſame, and all Exemplifications, and other Acts, which may continue the memory of them, be made void by Act of Parliament.

IV. It is further concluded, accorded and agreed upon, by and between the ſaid Parties, and his Majeſty is further graciouſly pleaſed, that all Indictments, Attainders, Outlawries in this Kingdom, and all the Proceſſes and other Proceedings thereupon, and all Letters Patents, Grants,

Leaſes,

Leaſes, Cuſtodiams, Bonds, Recognizances, and all Records, Act or Acts, Office or Offices, Inquiſitions, and all other things depending upon, or taken by reaſon of the ſaid Indictments, Attainders or Outlawries, ſithence the 7th of *Auguſt*, 1641. in Prejudice of the ſaid Catholicks, their Heirs, Executors, Adminiſtrators and Aſſigns, or any of them, or the Widows of them or any of them, ſhall be vacated and made void in ſuch ſort, as no memory ſhall remain thereof to the Blemiſh, Diſhonour, or Prejudice of the ſaid Catholicks, their Heirs, Executors, Adminiſtrators or Aſſigns, or any of them, or the Widows of them or any of them, and that to be done immediately after concluding of theſe Articles, and at furtheſt before the firſt day of *October* next; or in Caſe the ſaid new Parliament be called ſooner than the ſaid laſt day of *November*, then forty days before the ſaid Parliament. And that all Impediments which may hinder the ſaid *Roman* Catholicks to ſit or vote in the next intended Parliament, or to chooſe or to be choſen Knights and Burgeſſes to ſit or vote there, ſhall be removed before the ſaid Parliament. Provided, that no Man ſhall be queſtioned by reaſon of this Article for Meſne-rates or Waſtes, ſaving wilful Waſtes committed after the firſt of *November*, 1645.

V. It is further concluded, accorded and agreed upon, by and between the ſaid Parties, and his Majeſty is further graciouſly pleaſed, that all Debts do ſtand in ſtate as they were in the Beginning of thoſe Troubles, and that no Grant or Diſpoſition made, or to be made thereof, by Virtue or Colour of any Attainder, Outlawry, Fugacy or other Forfeiture whatſoever, or otherwiſe, ſhall be of Force, and this to be paſſed as an Act in the ſaid next Parliament.

VI. It is concluded, accorded and agreed, by and between the ſaid Parties, and his Majeſty is graciouſly pleaſed, that for the ſecuring of the Eſtates or reputed Eſtates, of the Lords, Knights, Gentlemen and Freeholders, or reputed Freeholders, as well of *Connaught*, and County of *Clare*, or Country of *Thomond*, as of the County of *Limerick* and *Tipperary*, the ſame to be ſecured by Act of Parliament, according to the Intent of the 25th Article of the Graces, granted in the fourth Year of his Majeſty's Reign, the Tenor whereof for ſo much as concerneth the ſaid Propoſition, doth enſue in theſe Words, viz. *We are graciouſly pleaſed, that for the ſecuring of the Inhabitants of* Connaught, *and Country of* Thomond, *and County of* Clare,

that their ſeveral Eſtates ſhall be confirmed unto them and their Heirs, againſt Us, and our Heirs and Succeſſors, by Act to be paſſed in the next Parliament to be holden in Ireland, *to the End the ſame may never hereafter be brought into any further Queſtion by Us, our Heirs and Succeſſors; in which Act of Parliament ſo to be paſſed, you are to take care, that all Tenures* in Capite, *and all Rents and Services, as are now due, or which ought to be anſwered unto Us, out of the ſaid Lands and Premiſes by any Letters Patents, paſt thereof ſince the firſt Year of King* Henry *the Eighth, or found by any Office taken from the ſaid firſt Year of King* Henry *the Eighth, until the 21ſt of* July, 1615. *whereby our late dear Father, or any his Predeceſſors actually received any Profit, by Wardſhip, Liveries, primer Seiſins, Meſne-rates, Ouſter le mains, or Fines of Alienations without Licence, be again reſerved unto Us, our Heirs and Succeſſors; and all the reſt of the Premiſes to be holden of our Caſtle of* Athloane, *by Knights Service, according to our ſaid late Father's Letters, notwithſtanding any Tenures* in Capite *found for Us by Office ſince the 21ſt of* July, 1615. *and not appearing in any ſuch Letters Patents, or Offices.* Within which Rule it is his Majeſty's Pleaſure, and it is ſo concluded and agreed, that the ſaid Lands in the Counties of *Limerick* and *Tipperary*, be included, but to be held by ſuch Rents and Tenures only as they were in the fourth Year of his Majeſty's Reign: Provided always, and it is the Intention of the ſaid Parties to theſe Preſents, that the ſaid Lords, Knights, Gentlemen and Freeholders, or reputed Freeholders, of the ſaid Province of *Connaught*, County of *Clare*, and County of *Thomond*, and Counties of *Tipperary* and *Limerick*, ſhall have and enjoy the full Benefit of ſuch Compoſition and Agreement, which ſhall be made with his moſt Excellent Majeſty for the Court of Wards, Tenures, Reſpites and Iſſues of Homage, any Clauſe in this Article contained to the contrary notwithſtanding: And as for Lands within the Counties of *Kilkenny*, and *Wickloe*, unto which his Majeſty was intitled by Offices taken or found in the time of the Earl of *Strafford*'s Government in this Kingdom; his Majeſty is graciouſly pleaſed, that the State thereof, ſhall be conſidered in the next intended Parliament, wherein his Majeſty will aſſent unto that which ſhall be juſt and honourable: And it is further concluded and agreed, by and between the ſaid Parties, and his Majeſty is further graciouſly pleaſed, that the like Act of Limita-

Limitation of his Majeſty's Titles for the Security of the Eſtates of his Subjects of this Kingdom, be paſſed in the ſaid Parliament, as was Enacted in the 21ſt Year of his late Majeſty King *James*'s Reign in *England*.

VII. It is further concluded, accorded and agreed upon, by and between the ſaid Parties, and his Majeſty is further graciouſly pleaſed, that all Incapacities, impoſed upon the Natives of this Kingdom, or any of them as Natives, by any Act of Parliament, Proviſoes in Patents, or otherwiſe, be taken away by Act to be paſſed in the ſaid Parliament; and that they may be enabled to erect one or more Inns of Courts, in or near the City of *Dublin*, and that ſuch Students, Natives of this Kingdom, as ſhall be therein, may take and receive the uſual Degrees accuſtomed in any Inns of Court, they taking the enſuing Oath, *viz. I* A. B. *do truly acknowledge, profeſs and declare in my Conſcience, before God and the World, that our Sovereign Lord King* Charles *is Lawful and Rightful King of this Realm, and of other his Majeſty's Dominions and Countries, and I will bear Faith and true Allegiance to his Majeſty, and his Heirs and Succeſſors, and him and them will defend to the uttermoſt of my Power, againſt all Conſpiracies and Attempts whatſoever, which ſhall be made againſt his or their Crown and Dignity; and do my beſt endeavour to diſcloſe and make known to his Majeſty, his Heirs and Succeſſors, or to the Lord Deputy or Governors for the time being, all Treaſons or Traiterous Conſpiracies which I ſhall know, or hear to be intended againſt his Majeſty or any of them; and I do make this Recognition and Acknowledgment heartily, and willingly, and truly, upon the true Faith of a Chriſtian: So help me God.* And that they may erect one or more Univerſities, to be governed by ſuch Rules and Orders as his Majeſty ſhall appoint: And it is further concluded and agreed, by and between the ſaid Parties, and his Majeſty is graciouſly pleaſed, that the ſaid *Roman* Catholick Subjects may erect and keep free-Schools for Education of Youth in this Kingdom, any Law or Statute to the contrary notwithſtanding. All the Matters of this Article to be paſſed as Acts of Parliament in the ſaid next Parliament.

VIII. It is further concluded, accorded and agreed upon, by and between the ſaid Parties, and his Majeſty is graciouſly pleaſed, That Places of Command, Honour, Profit, and Truſt in his Majeſty's Armies in this Kingdom, ſhall be upon Perfection of theſe Articles actually, and by

particular Inſtances conferred upon his *Roman* Catholick Subjects of this Kingdom; and that upon the Diſtribution, conferring and diſpoſal of the Places of Command, Honour, Profit and Truſt in his Majeſty's Armies in this Kingdom for the future, no difference ſhall be made between the ſaid *Roman* Catholicks, and other his Majeſty's Subjects, but that ſuch Diſtribution ſhall be made with equal indifferency, according to their reſpective Merits and Abilities; and that all his Majeſty's Subjects of this Kingdom, as well *Roman* Catholicks as others, ſhall for his Majeſty's Service and their own Security, arm themſelves the beſt they may, wherein they ſhall have all fitting Encouragement; and that Places of Command, Honour, Profit and Truſt in Civil Government in this Kingdom, ſhall be, upon paſſing of the Bills, in theſe Articles mentioned, in the next Parliament, actually and by particular Inſtances conferred upon his Majeſty's *Roman* Catholick Subjects of this Kingdom; and that in the Diſtribution, conferring and diſpoſal of the Places of Command, Honour, Profit and Truſt, in the Civil Government for the future, no difference ſhall be made between the ſaid *Roman* Catholicks and others his Majeſty's Subjects, but that ſuch Diſtribution ſhall be made with equal indifferency, according to their reſpective Merits, and Abilities; and that in the Diſtribution of Miniſterial Offices, or Places which now are or hereafter ſhall be void in this Kingdom, Equality ſhall be uſed to the *Roman* Catholick Natives of this Kingdom, as to other his Majeſty's Subjects; that the Command of Forts, Caſtles, Gariſons, Towns, and other Places of importance in this Kingdom, ſhall be conferred upon his Majeſty's *Roman* Catholick Subjects of this Kingdom upon perfection of theſe Articles, actually and by particular Inſtances: and that in the Diſtribution, conferring and diſpoſal of the Forts, Caſtles, Gariſons, Towns and other Places of Importance in this Kingdom, no difference ſhall be made between his Majeſty's *Roman* Catholick Subjects of this Kingdom, and other his Majeſty's Subjects, but that ſuch diſtribution ſhall be made with equal indifferency, according to their reſpective Merits and Abilities.

IX. It is further concluded, accorded and agreed upon, by and between the ſaid Parties, and his Majeſty is further graciouſly pleaſed, That his Majeſty will accept of the yearly Rent or annual Sum of Twelve Thouſand Pounds Sterling, to be applotted with indifferency and equality, and

and conſented to be paid to his Majeſty, his Heirs and Succeſſors in Parliament, for and in lieu of the Court of Wards in this Kingdom, *Tenures in Capite*, *common Knights-ſervice*, and all other Tenures within the Cognizance of that Court, and for and in lieu of all Wardſhips, primer Seiſins, Fines, Ouſterlemains, Liveries, Intruſions, Alienations, Meſne-rates, Reliefs, and all other Profits, within the Cognizance of the ſaid Court, or incident to the ſaid Tenures or any of them, or Fines to accrue to his Majeſty, by reaſon of the ſaid Tenures or any of them, and for, and in lieu of Reſpites, and Iſſues of Homage, and Fines for the ſame; and the ſaid yearly Rent being ſo applotted and conſented unto in Parliament as aforeſaid, then a Bill is to be agreed on in the ſaid Parliament, to be paſſed as an Act, for the ſecuring of the ſaid yearly Rent, or annual Sum of Twelve Thouſand Pounds, to be applotted as aforeſaid, and for the Extinction and taking away of the ſaid Court, and other Matters aforeſaid in this Article contained; and it is further agreed, that reaſonable Compoſitions ſhall be accepted for Wardſhips fallen, ſince the 23d of *October* 1641. and already granted; and that no Wardſhips fallen, and not granted, or that ſhall fall, ſhall be paſt, until the ſucceſs of this Article ſhall appear; and if his Majeſty be ſecured as aforeſaid, Then all Wardſhips fallen ſince the ſaid 23d of *October*, are to be included in the Agreement aforeſaid, upon Compoſition to be made with ſuch as have Grants as aforeſaid, which Compoſition to be made, with the Grants ſince the time aforeſaid, is to be left to indifferent Perſons, and the Umpirage to the ſaid Lord Lieutenant his Majeſty's Commiſſioner.

X. It is further concluded, accorded and agreed, by and between the ſaid Parties, and his Majeſty is further graciouſly pleaſed, that no Nobleman or Peer of this Realm in Parliament ſhall be hereafter capable of more Proxies than two, and that blank Proxies ſhall be hereafter totally diſallowed: and that if ſuch Noblemen or Peers of this Realm as have no Eſtates in this Kingdom do not within five Years, to begin from the concluſion of theſe Articles, purchaſe in this Kingdom as followeth, *viz. A Lord Baron two hundred Pounds* per annum, *a Lord Viſcount four hundred Pounds* per annum, *and an Earl ſix hundred Pounds ſter.* per annum, ſhall loſe their Votes in Parliament until ſuch time as they ſhall afterwards acquire ſuch Eſtates reſpectively; and it is further agreed, that

none be admitted into the Houſe of Commons but ſuch as ſhall be Eſtated, and Reſident within this Kingdom.

XI. It is further concluded, accorded and agreed, by and between the ſaid Parties, and his Majeſty is further graciouſly pleaſed, that as for and concerning the Independency of the Parliament of *Ireland* on the Parliament of *England*, his Majeſty will leave both Houſes of Parliament in this Kingdom to make ſuch Declaration therein as ſhall be agreeable to the Laws of the Kingdom of *Ireland*.

XII. It is further concluded, accorded and agreed, by and between the ſaid Parties, and his Majeſty is further graciouſly pleaſed, that the Council Table ſhall contain itſelf within its proper Bounds in handling Matters of State and Weight fit for that Place, amongſt which, the Patents of Plantation, and the Offices whereupon thoſe Grants are founded, are to be handled as Matters of State, and be heard and determined by the Lord Lieutenant, or other chief Governor or Governors for the time being, and the Council, publickly at the Council Board, and not otherwiſe; but Titles between Party and Party, grown after theſe Patents granted, are to be left to the ordinary Courſe of Law: and that the Council Table do not hereafter intermeddle with common Buſineſs that is within the Cognizance of the ordinary Courts, nor with the altering of Poſſeſſions of Lands, nor make, nor uſe private Orders, Hearings, or References concerning any ſuch Matter, nor grant any Injunction or Order for Stay of any Suits in any Civil Cauſe, and that Parties grieved, for or by Reaſon of any Proceedings formerly had there, may commence their Suits and proſecute the ſame, in any of his Majeſty's Courts of Juſtice or Equity, for Remedy of their pretended Rights, without any reſtraint or interruption from his Majeſty, or otherwiſe by the chief Governor or Governors and Council of this Kingdom.

XIII. It is further concluded, granted and agreed, by and between the ſaid Parties, and his Majeſty is further graciouſly pleaſed, that as for and concerning one Statute made in this Kingdom in the eleventh Year of the Reign of Queen *Elizabeth*, intitled, *An Act for ſtaying of Wooll, Flocks, Tallow*, and other Neceſſaries within this Realm, and one other Statute made in the ſaid Kingdom in the twelfth Year of the ſaid Queen, intitled, *An Act*, ——— ——————And one other Statute, made in the

ſaid

ſaid Kingdom in the 13th Year of the Reign of the ſaid late Queen, intitled, *An Explanation of the Act made in a Seſſion of this Parliament for the ſtaying of Wooll, Flocks, Tallow, and other Wares and Commodities* mentioned in the ſaid Act, and certain Articles added to the ſame Act, all concerning Staple or Native Commodities of this Kingdom, ſhall be repealed, excepting for Wooll and Wooll-fells; and that ſuch indifferent Perſons as ſhall be agreed on by the ſaid Lord Lieutenant, and the ſaid Lord Viſcount *Mountgarret*, *Donogh* Lord Viſcount *Muskery*, Sir *Daniel O Bryen* Knight, Sir *Lucas Dillon* Knight, *Nicholas Plunket*, *Richard Bellings*, *Philip Mac Hugh O Rely*, *Tirlogh O Neal*, *Thomas Flemming*, *Patrick Darcy*, *Gerrald Fennel*, and *Geffery Brown* Eſquires, or any five or more of them, ſhall be authorized by Commiſſion under the Great Seal, to moderate and aſcertain the Rates of Merchandiſe to be exported, or imported, out of, or into this Kingdom, as they ſhall think fit.

XIV. It is further concluded, accorded and agreed, by and between the ſaid Parties, and his Majeſty is further graciouſly pleaſed, that care be had, that the chief Governor, or Governors of this Kingdom for the time being, ſhall not continue in thoſe Places longer than he ſhall find for the good of his People here; and that they ſhall be inhibited to make any Purchaſe other than by Leaſe for Proviſion of their Houſes, during the time of their Government.

XV. It is further concluded, accorded and agreed, by and between the ſaid Parties, and his Majeſty is further graciouſly pleaſed, that an Act of Oblivion ſhall be paſſed in the next Parliament, to extend unto all his Majeſty's Subjects of this Kingdom and their Adherents, of all Treaſons and Offences, Capital, Criminal and Perſonal, and other Offences of what Nature, Kind, or Quality ſoever, in ſuch manner, as if ſuch Treaſons or Offences had never been committed, perpetrated, or done, That the ſaid Act do extend to the Heirs, Children, Kindred, Executors, Adminiſtrators, Wives, Widows, Dowagers, and Aſſigns of ſuch of the ſaid Subjects, and their Adherents, who died on, or ſince the 23d of *October* 1641. That the ſaid Act do relate to the firſt Day of the next Parliament; That the ſaid Act do extend to all Bodies Politick and Corporate, and their reſpective Succeſſors, and unto all Cities, Boroughs, Countries, Baronies, Hundreds, Towns,

Villages, Tythings, and every of them within this Kingdom, for and concerning all and every of the ſaid Offences, or any other Offence or Offences, in them or any of them committed or done, by his Majeſty's ſaid Subjects or their Adherents, or any of them, on, or ſince the 23d of *October* 1641. That this Act ſhall extend to Piracies and all other Offences committed upon the Sea by his Majeſty's ſaid Subjects, or their Adherents, or any of them; That in this Act of Oblivion, Words of Releaſe, Acquittal, and Diſcharge, be inſerted; That no Perſon or Perſons, Bodies Politick or Corporate, Countries, Cities, Boroughs, Baronies, Hundreds, Towns, Villages, Tythings, or any of them within this Kingdom, included within the ſaid Act, be troubled, impeached, ſued, inquieted, or moleſted, for, or by reaſon of any Offence, Matter or Thing whatſoever, comprized within the ſaid Act, and the ſaid Act ſhall extend to all Rents, Goods and Chattels taken, detained, or grown due, to the Subjects of the one ſide to the other, ſince the 23d of *October* 1641. to the Date of theſe Articles, and alſo to all Cuſtoms, Rents, Arrears of Rents, Prizes, Recognizances, Bonds, Fines, Forfeitures, Penalties, and to all other Profits, Perquiſites, and Dues, which were due, or did, or ſhould, accrue to his Majeſty on, before or ſince, the 23d of *October* 1641. until the perfection of theſe Articles, and likewiſe to all Meſne-rates, Fines, of what nature ſoever, Recognizances, Judgments, Executions thereupon, and Penalties whatſoever, and to all other Profits due to his Majeſty ſince the ſaid 23d of *October* and before until this preſent, for, by reaſon, or which lay within the ſurvey or cognizance of the Court of Wards; and alſo to all Reſpites, Iſſues of Homage, and Fines for the ſame. Provided this ſhall not extend to diſcharge or remit any of the King's Debts, or Subſidies, due before the ſaid 23d of *October* 1641. which were then, or before, levyed, or taken by Sheriffs, Commiſſioners, Receivers, or Collectors, and not then, or before accounted for, or ſince diſpoſed to publick Uſe of the ſaid *Roman* Catholick Subjects, but that ſuch Perſons may be brought to Account for the ſame, after full ſettlement in Parliament, and not before. Provided that ſuch barbarous, and inhuman Crimes, as ſhall be particularized, and agreed upon by the ſaid Lord Lieutenant, and the Lord Viſcount *Mountgarret*, *Donogh* Lord Viſcount *Muskery*, Sir *Daniel O Bryen* Knight, Sir *Lucas Dillon* Knight, *Nicholas Plunket*,

ket, Richard Bellings, Phillip Mac Hugh O Reley, Terlogh O Neal, Thomas Flemming, Patrick Darcy, Gerrald Fennel, and *Geffery Brown* Eſquires, or any five or more of them, as to the Actors, and Procurers thereof, be left to be tried and adjudged by ſuch indifferent Commiſſioners as ſhall be agreed upon by the ſaid Lord Lieutenant, and the ſaid Lord Viſcount *Mountgarret*, *Donogh* Lord Viſcount *Muskery*, Sir *Daniel O Bryen* Knight, Sir *Lucas Dillon* Knight, *Nicholas Plunket, Richard Bellings, Phillip Mac Hugh O Reley, Terlogh O Neal, Thomas Flemming, Patrick Darcy, Gerrald Fennel,* and *Geffery Brown* Eſquires, or any five or more of them, and that the Power of the ſaid Commiſſioners ſhall continue only for two Years next enſuing the Date of theſe preſent Articles. Provided alſo that the Commiſſioners to be agreed on for Trial of the ſaid particular Crimes to be excepted, ſhall Hear, Order, and Determine all Caſes of Truſt, where Relief may or ought in Equity to be afforded, againſt all manner of Perſons, according to the Equity and Circumſtances of every ſuch Caſes; and his Majeſty's chief Governor, or Governors, and other Governors and Magiſtrates for the time being, and all his Majeſty's Courts of Juſtice, and other his Majeſty's Officers, of what Condition or Quality ſoever, be bound and required to take Notice of, and purſue the ſaid Act of Oblivion, without Pleading or Suit to be made for the ſame; and that no Clerk or other Officers do make out, or write out, any manner of Writs, Proceſſes, Summons, or other Precepts, for, concerning, or by reaſon of any Matter, Cauſe, or Thing whatſoever, Releaſed, Forgiven, Diſcharged, or to be Forgiven by the ſaid Act, under pain of twenty Pound Sterling; and that no Sheriff or other Officer do execute any ſuch Writ, Proceſs, Summons, or Precept; and that no Record, Writing, or Memory, do remain of any Offence, or Offences, releaſed, or forgiven, or mentioned to be forgiven by this Act; and that all other Clauſes uſually inſerted in Acts of General Pardon or Oblivion, enlarging his Majeſty's Grace, and Mercy, not herein particularized, be inſerted and comprized, in the ſaid Act, when the Bill ſhall be drawn up, with the Exceptions already expreſſed, and none other. Provided always, that the ſaid Act of Oblivion ſhall not extend unto any Treaſon, Felony, or other Offence or Offences, which ſhall be committed or done from or after the Date of theſe Articles, until the firſt Day of the before mentioned next Parliament to be held

held in this Kingdom. Provided alſo, that any Act or Acts which ſhall be done by Virtue, Pretence, or in Purſuance of theſe Articles or any of them, after the Publication of the ſaid Articles, or any Act or Acts which ſhall be done by Virtue, Colour, or Pretence, of the Power, or Authority uſed, or exerciſed, by and amongſt the Confederate *Roman* Catholicks, after the Date of theſe Articles, and before the ſaid Publication, ſhall not be accounted, taken, conſtrued, or be Treaſon, Felony, or other Offence, to be excepted out of the ſaid Act of Oblivion. Provided likewiſe that the ſaid Act of Oblivion ſhall not extend unto any Perſon or Perſons, that will not obey and ſubmit unto the Peace, concluded and agreed on by theſe Articles.

XVI. It is further concluded, accorded and agreed, by and between the ſaid Parties, and his Majeſty is further graciouſly pleaſed, that an Act be paſſed in the next Parliament, prohibiting that neither the Lord Deputy, or other chief Governor, Governors, Lord Chancellor, Lord High Treaſurer, Vice Treaſurer, Chancellor, or any of the Barons of the Exchequer, Privy Council, or Judges of the four Courts, be Farmers of his Majeſty's Cuſtoms within this Kingdom.

XVII. It is further concluded, accorded and agreed, by and between the ſaid Parties, and his Majeſty is further graciouſly pleaſed, that an Act of Parliament paſs in this Kingdom againſt Monopolies, ſuch as was enacted in *England* 21 *Jacobi Regis*, with a further Clauſe of repealing of all Grants of Monopolies in this Kingdom, and that Commiſſioners be agreed upon by the ſaid Lord Lieutenant, and the ſaid Lord Viſcount *Mountgarret*, *Donogh* Lord Viſcount *Muskery*, Sir *Daniel O Bryen* Knight, Sir *Lucas Dillon* Knight, *Nicholas Plunket*, *Richard Bellings*, *Philip Mac Hugh O Rely*, *Terlogh O Neale*, *Thomas Flemming*, *Patrick Darcy*, *Gerrald Fennell*, and *Geffery Brown* Eſquires, or any five or more of them, to ſet down the Rates for the Cuſtom, or Impoſition to be laid on *Aqua vitæ*, Wine, Oil, Yarn, and Tobacco.

XVIII. It is further concluded, accorded and agreed, by and between the ſaid Parties, and his Majeſty is further graciouſly pleaſed, that ſuch Perſons as ſhall be agreed on by the ſaid Lord Lieutenant, and the ſaid Lord Viſcount *Mountgarret*, *Donogh* Lord Viſcount *Muskery*, Sir *Daniel O Bryen* Knight, Sir *Lucas Dillon* Knight, *Nicholas Plunket*,

Plunket, *Richard Bellings*, *Philip Mac Hugh O Rely*, *Terlogh O Neale*, *Thomas Fleming*, *Patrick Darcy*, *Gerrald Fennel*, and *Geffery Brown* Eſquires, or any five or more of them, ſhall be upon Concluſion of theſe Articles, authorized by Commiſſion under the Great Seal, to regulate the Court of Caſtle-Chamber, and ſuch Cauſes as ſhall be brought into, and cenſured in the ſaid Court.

XIX. It is further concluded, accorded and agreed, by and between the ſaid Parties, and his Majeſty is further graciouſly pleaſed, that two Acts lately paſſed in this Kingdom, prohibiting *the Plowing with Horſes by the Tail*, and the other prohibiting *the burning of Oats in the Straw*, be repealed.

XX. It is further concluded, accorded and agreed, by and between the ſaid Parties, and his Majeſty is further graciouſly pleaſed, that upon Perfection of theſe Articles ſuch Courſe ſhall be taken againſt ſuch who have diſobeyed the Ceſſation, and will not ſubmit to the Peace, if any ſhall oppoſe it, as ſhall be juſt, and for the Peace of the Kingdom.

XXI. It is further concluded, accorded and agreed, by and between the ſaid Parties, and his Majeſty is further graciouſly pleaſed, foraſmuch as upon Application of Agents from this Kingdom unto his Majeſty in the fourth Year of his Reign, and lately upon humble Suit made unto his Majeſty by a Committee of both Houſes of the Parliament of this Kingdom, Order was given by his Majeſty for Redreſs of ſeveral Grievances, and for ſo many of thoſe as are not expreſſed in theſe Articles, whereof both Houſes in the next enſuing Parliament ſhall deſire the Benefit of his Majeſty's ſaid former Directions for Redreſſes therein, that the ſame be afforded them, yet ſo, as for Prevention of Inconveniences to his Majeſty's Service, that the Warning mentioned in the 21ſt Article of the Graces, in the fourth Year of his Majeſty's Reign, be ſo underſtood, that the Warning being left at the Perſons dwelling Houſes, be held ſufficient Warning, and that, as to the 22d Article of the ſaid Graces, the Proceſs hitherto uſed in the Court of Wards do ſtill continue as hitherto it hath done in that, and hath been uſed in other *Engliſh* Courts; but the Court of Wards being compounded for, ſo much of the aforeſaid Article as concerns Warning, and Proceſs, ſhall be omitted.

XXII. It is further concluded, accorded and agreed by and between the ſaid Parties, and his Majeſty is further graciouſly pleaſed, that Maritime Cauſes may be determined in this Kingdom, without driving of Merchants or others to appeal and ſeek Juſtice elſewhere; and if it ſhall fall out that there be a cauſe of an Appeal, the Party grieved is to appeal to his Majeſty in the Chancery of *Ireland*, and the Sentence thereupon to be given by the Delegates, to be definitive, and not to be queſtioned upon any further Appeal, except it be in the Parliament of this Kingdom, if the Parliament ſhall then be ſitting, otherwiſe not. This to be by Act of Parliament.

XXIII. It is further concluded, accorded and agreed, by and between the ſaid Parties, and his Majeſty out of his abundant Grace and Goodneſs to his Subjects of this Kingdom is graciouſly pleaſed to aſſent, that his ſaid Subjects be eaſed of the Increaſe of Rents lately raiſed on them upon the Commiſſion of defective Titles, in the Earl of *Strafford*'s Government. This to be by Act of Parliament.

XXIV. It is further concluded, accorded and agreed upon, by and between the ſaid Parties, and his Majeſty is further graciouſly pleaſed, that by Act to be paſſed in the next Parliament, all the Arrears of Intereſt of Money which did accrue, or grow due by way of Debt, Mortgage, or otherwiſe, and yet not ſatisfy'd, ſince the 23d of *October*, 1641. until the Perfection of theſe Articles, ſhall be fully forgiven and be releaſed; and that for and during the Space of three Years next inſuing, no more ſhall be taken for Uſe, or Intereſt of Money, than five Pounds *per Cent.* and in all Caſes of Equity ariſing thro' Diſability, occaſioned by the Diſtempers of thoſe Times, the Conſiderations of Equity to be alike unto both Parties.

XXV. It is concluded, accorded, and agreed, by and between the ſaid Parties, and his Majeſty is graciouſly pleaſed, that the ſaid *Richard* Lord Viſcount *Mountgarret*, *Donogh* Lord Viſcount *Muskery*, Sir *Daniel O Bryen* Knight, Sir *Lucas Dillon* Knight, *Nicholas Plunket*, *Richard Bellings*, *Philip Mac Hugh O Rely*, *Terlogh O Neale*, *Thomas Fleming*, *Patrick Darcy*, *Gerrald Fennel*, and *Geffery Brown* Eſquires, ſhall be, immediately upon concluſion of theſe Articles, authorized by Act of State to proceed in, hear, determine, and execute within the Cities, Corporate Towns, Counties, and Part of Counties, now, or late,

late, within the Quarters of the ſaid Confederate Catholicks, the enſuing Particulars, and all Matters thereupon depending: and that the ſaid Act of State, and other the Authorities hereafter mentioned ſhall remain of Force without Revocation, Alteration, or Diminution, until Acts of Parliament be paſſed according to the Purport and Intent of theſe preſent Articles; only in Caſe of Death of any of the ſaid Perſons ſo to be authorized, the Lord Lieutenant, or other chief Governor or Governors of this Kingdom for the Time being, ſhall by the Advice and Conſent of the Perſons ſo to be authorized, then living, or any five or more of them, name others in the Place of ſuch who ſhall be ſo dead, and the Perſons ſo to be named, to be authorized as the former; and that the Perſons to be authorized as aforeſaid, or any five or more of them, be permitted without Interruption to applot, raiſe and levy Means with Indifferency and Equality, upon all his Majeſty's Roman Catholick Subjects of this Kingdom, for the raiſing, cloathing, and bringing to Sea-Ports, and maintaining there, until they be ſhipped, ten thouſand Men promiſed by the Confederate Catholicks of this Kingdom to aſſiſt his Majeſty, and to levy the Arrears of all Exciſes, and other publick Taxes already impoſed by them, and yet unpaid; and to call all Receivers and other Accomptants of all former Taxes and publick Dues to a juſt and ſtrict Accompt, either by themſelves, or by ſuch as they, or any five or more of them ſhall name and appoint: and that the ſaid Perſons to be authorized as aforeſaid, or any five or more of them, ſhall have Power to applot, raiſe, and levy Means, with Indifferency and Equality, by Way of Exciſes, or otherwiſe, in the ſeveral Cities, Corporate Towns, Counties, and Parts of Counties now within the Quarters of the ſaid Confederate Catholicks, towards the Maintenance of ſuch Army or Armies as ſhall be thought fit to continue, and be in Pay, for the Defence of the Kingdom, and towards the Maintenance of all the Forts, Caſtles, and Gariſons within both, or either of the now Quarters of either Party, other than ſuch of the ſaid Gariſons, Forts, and Caſtles, as from Time to Time, until there be a Settlement in Parliament, ſhall be thought fit by his Majeſty's chief Governor, or Governors of this Kingdom for the Time being, by and with the Advice and Conſent of the ſaid Perſons ſo to be authorized, or any five or more of them, not to be main-

maintained at the Charge of the Publick. Provided that his Majeſty's Lieutenant, or other chief Governors for the Time being, be firſt made acquainted with ſuch Taxes, Levies, and Exciſes as ſhall be made, and the Manner of Levying thereof, and that he approve the ſame; and that the Perſons to be authorized as aforeſaid, or any five or more of them, ſhall be authorized to appoint Receivers, Collectors, and all other Officers, for ſuch Monies as ſhall be ſo aſſeſſed, and for the Arrears of all former Applotments, Taxes, and other publick Dues yet unpaid; and that the Perſons ſo to be authorized, or any five or more of them, in Caſe of Refractorineſs, or Delinquency, may diſtrain, and impriſon, and cauſe ſuch Delinquents to be diſtrained or impriſoned, and that the Profits of the Eſtates, within the now Quarters of the Confederate Catholicks, of ſuch as ſhall adhere to the Parliament, and not ſubmit to the Peace, be accounted as publick Dues, and be converted to the Maintenance of the King's Army. And that the ſaid Perſons to be authorized as aforeſaid, or any five or more of them, ſhall have Power to applot, raiſe, and levy Means, with Indifferency and Equality, for the buying of Arms and Ammunition, and for entertaining of Frigots, in ſuch Proportion and Manner as ſhall be thought fit by his Majeſty's Lieutenant, or other chief Governor, or Governors, for the Time being, by and with the Advice and Conſent of the ſaid *Richard* Lord Viſcount *Mountgarret*, *Donogh* Lord Viſcount *Muskery*, Sir *Daniel O Bryen* Knight, Sir *Lucas Dillon* Knight, *Nicholas Plunket*, *Richard Bellings*, *Philip Mac Hugh O Rely*, *Terlogh O Neal*, *Thomas Fleming*, *Patrick Darcy*, *Gerrald Fennel*, and *Geffery Brown* Eſquires, or any five or more of them: The ſaid Arms and Ammunition, to be laid up in ſuch Magazines, and under the Charge of ſuch Perſons as ſhall be agreed by the ſaid Lord Lieutenant, and the ſaid Perſons to be authorized as aforeſaid, or any five or more of them, and to be iſſued, and the ſaid Frigots to be employed, by the Lord Lieutenant, or other chief Governor, or Governors for the Time being, for the Safety of the Kingdom, by the Advice and Conſent of the ſaid *Richard* Lord Viſcount *Mountgarret*, *Donogh* Lord Viſcount *Muskery*, Sir *Daniel O Bryen*, Sir *Lucas Dillon*, *Nicholas Plunket*, *Richard Bellings*, *Philip Mac Hugh O Rely*, *Terlogh O Neale*, *Thomas Fleming*, *Patrick Darcy*, *Gerrald Fennell*, and *Geffery Brown*, or any five or more of them: And that the

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ſaid Perſons ſo to be authorized as aforeſaid, or any five or more of them ſhall have Power to applot, raiſe, and levy Means, with Indifferency and Equality, by Way of Exciſes, or otherwiſe, in the ſeveral Cities, Corporate Towns, Counties, and Parts of Counties, now within the Quarters, and upon the Eſtates of the ſaid Confederate Catholicks, all ſuch Sum and Sums as ſhall appear unto the ſaid Perſons, to be authorized as aforeſaid, or any five or more of them, to be really due, for, and in Diſcharge of the publick Engagements of the ſaid Confederate Catholicks, incurred or grown due before the Concluſion of theſe Articles; and that the ſaid Perſons to be authorized as aforeſaid, or any five or more of them, ſhall have Power to applot, raiſe, and levy means, with Indifferency and Equality, by Way of Exciſe, or otherwiſe, in the ſeveral Cities, Corporate Towns, Counties, and Parts of Counties, now within the Quarters of the ſaid Confederate Catholicks, as well for the Perſons to be authorized as aforeſaid, and alſo for ſuch other Perſon and Perſons as ſhall be employed in publick Affairs within the ſeveral Cities, Corporate Towns, Counties, and Parts of Counties within the now Quarters of the ſaid Confederate Catholicks, from Time to Time, until a Settlement by Parliament; and that the ſaid Perſons to be authorized as aforeſaid, or any five or more of them, make perfect Books, of all ſuch Monies as ſhall be applotted, raiſed, and levied, out of which Books they are to make ſeveral and reſpective Abſtracts, to be delivered under their Hands, or the Hands of any five or more of them, to the ſeveral and reſpective Collectors, who ſhall be appointed to levy, and receive the ſame; and that a Duplicate of the ſaid Books, under the Hands of the ſaid Perſons to be authorized as aforeſaid, be delivered unto his Majeſty's Lieutenant, or other chief Governor or Governors for the Time being, whereby a perfect Accompt might be given.

XXVI. It is further concluded, accorded, and agreed, by and between the ſaid Parties, and his Majeſty is graciouſly pleaſed, That for the Preſervation of the Peace and Tranquillity of the Kingdom, that the ſaid Lord Lieutenant, and the ſaid Lord Viſcount *Mountgarret*, *Donogh* Lord Viſcount *Muskery*, Sir *Daniel O Bryen* Knight, Sir *Lucas Dillon* Knight, *Nicholas Plunket*, *Richard Bellings*, *Philip Mac Hogh O Rely*, *Terlogh O Neale*, *Thomas Fleming*, *Patrick Darcy*, *Gerrald Fennel*, and *Geffery Brown* Eſquires,

Eſquires, or any five or more of them, ſhall for the preſent agree upon ſuch Perſons who are to be authorized by Commiſſion under the great Seal, to be Commiſſioners of the Peace, *Oyer* and *Terminer*, and Goal-delivery, in the ſeveral Counties, and Parts of Counties, within the now Quarters of the Confederate Catholicks, with ſuch Power as Juſtices of the Peace, *Oyer* and *Terminer*, and Goal-delivery, in former Times of Peace, have uſually had, which is not to extend unto any Crime, or Offence, committed before the 15th of *September* 1643. and to be qualified with Power to hear and determine all Civil Cauſes coming before them, not exceeding ten Pounds: Provided that they ſhall not intermeddle with Titles of Lands; Provided likewiſe the Authority of ſuch Commiſſioners ſhall not extend, to queſtion any Perſon or Perſons, for any Cattle or Goods, heretofore taken by either Party from the other, contrary to the Articles of Ceſſations, but that the ſame ſhall be left to be determined in ſuch Way, as by theſe Articles is already preſcribed; which Commiſſioners are to continue till Settlement by Parliament, *Si tam diu ſe bene geſſerint.* And if any who ſhall be ſo intruſted, ſhall misbehave himſelf in the Execution of ſuch Truſt, within that Time, that then ſuch other Perſon or Perſons ſhall be appointed in his or their Place, as ſhall be agreed on by his Majeſty's chief Governor, or Governors for the Time being, by the Advice and Conſent of the ſaid Perſons ſo to be entruſted, or any five or more of them, and the ſaid Commiſſioners are to make their Eſtreats as accuſtomed in Time of Peace, and ſhall take the enſuing Oath, *viz. You ſhall ſwear that as Juſtice of the Peace,* Oyer *and* Terminer, *and Goal-delivery, in the Counties of A. B. C. in all Articles of the King's Commiſſion to you directed, you ſhall do Equal Right to the Poor and to the Rich, after your Cunning, Wit, and Power, and after the Laws and Cuſtoms of the Realm, and in Purſuance of theſe Articles; and you ſhall not be of Council of any Quarrel hanging before you. And the Iſſues, Fines, and Amerciaments, which ſhall happen to be made, and all Forfeitures which ſhall happen before you, you ſhall cauſe to be entered without any Concealment, or Imbezzling, and truly ſend to the King's Exchequer: You ſhall not let for Gift, or other Cauſe, but well and truly you ſhall do your Office of Juſtice of the Peace,* Oyer *and* Terminer, *and Goal-delivery in that Behalf, and that you take nothing for your Office of Juſtice of the Peace,* Oyer *and* Terminer, *and Goal-deli-*

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very to be done, but of the King, and Fees accuſtomed. And you ſhall not direct, or cauſe to be directed, any Warrant by you to be made to the Parties, but you ſhall direct them to the Sheriffs, and Bayliffs of the ſaid Counties reſpectively, or other the King's Officers, or Miniſters, or other indifferent Perſons to do Execution thereof. So help you God. And that as well in the ſaid Commiſſion, as in all other Commiſſions and Authorities, to be iſſued in Purſuance of theſe preſent Articles, this Clauſe ſhall be inſerted, *viz.* That all Officers, Civil and Martial, ſhall be required to be aiding and aſſiſting, and obedient unto the ſaid Commiſſioners, and other Perſons, to be authorized as aboveſaid, in the Execution of their reſpective Powers.

XXVII. It is further concluded, accorded, and agreed, by and between the ſaid Parties, and his Majeſty is further graciouſly pleaſed, that none of the now Roman Catholick Party ſhall from henceforth, until there be a Settlement by Parliament, ſue, implead, or arreſt, or be ſued, impleaded, or arreſted in any Court, Place, Judicature, or Tribunal, or before any Judge, Juſtice, or Commiſſioner whatſoever, other than before the Commiſſioners aforeſaid, or in the ſeveral Corporations, or other Judicatures, within the now Quarters of the ſaid Confederate Catholicks, as hath, or have Power derived from his Majeſty.

XXVIII. It is further concluded, accorded, and agreed, by and between the ſaid Parties, and his Majeſty is further graciouſly pleaſed, that his Majeſty's Confederate Catholick Subjects do continue the Poſſeſſion of ſuch of his Majeſty's Cities, Gariſons, Towns, Forts, and Caſtles, which are within their now Quarters, until Settlement by Parliament, and to be commanded, ruled and governed in Chief, by ſuch as his Majeſty or his chief Governor or Governors of this Kingdom for the Time being ſhall appoint; and his Majeſty his chief Governor, or Governors of this Kingdom, as aforeſaid, is to iſſue Commiſſions, and appoint ſuch Perſon or Perſons, as ſhall be named by his Majeſty's chief Governor, or Governors for the Time being, by and with the Advice and Conſent of the ſaid Lord Viſcount *Mountgarret*, *Donogh* Lord Viſcount *Muskery*, Sir *Daniel O Bryen*, Sir *Lucas Dillon*, *Nicholas Plunket*, *Richard Bellings*, *Philip Mac Hugh O Rely*, *Terlogh O Neale*, *Thomas Fleming*, *Patrick Darcy*, *Gerrald Fennel*, and *Geffery Brown* Eſquires, or any five

or more of them, for the Execution of ſuch Command, Rule or Government, to continue until all the Particulars in theſe preſent Articles agreed on to paſs in Parliament, ſhall be accordingly paſſed: only in caſe of Death, or Misbehaviour, ſuch other Perſon or Perſons to be appointed for the ſaid Command, Rule, and Government, to be named and appointed in the Place, or Places, of him, or them, who ſhall ſo die or misbehave themſelves, as the chief Governor or Governors, for the Time being, by the Advice and Conſent of the ſaid Lord Viſcount *Mountgarret*, and the reſt of the above-mentioned Parties, to be authorized as aforeſaid, or any five or more of them, ſhall think fit, and to be continued until Settlement in Parliament, as aforeſaid.

XXIX. It is further concluded, accorded, and agreed, by and between the ſaid Parties, and his Majeſty is further graciouſly pleaſed, that all Cuſtoms belonging to his Majeſty, which from the Perfection of theſe preſent Articles ſhall fall due within this Kingdom, ſhall be paid into his Majeſty's Receipt, and to his Uſe, any Requeſt, Clauſe, or Demand, in the Act of Oblivion, or in any other former Propoſitions to the contrary notwithſtanding. Provided, that all and every Perſon or Perſons, who are at the preſent intruſted within the now Quarters of the Confederate Catholicks, by them the ſaid Confederate Catholicks in the Entries, Receipts, Collections, or otherwiſe concerning the ſaid Cuſtoms, do continue their reſpective Imployments in the ſame, until full Settlement in Parliament; other than as to ſuch, and ſo many of them, as to the chief Governor or Governors, for the Time being, by the Advice and Conſent of the ſaid Lord Viſcount *Mountgarret*, and the other Perſons to be authorized as aforeſaid, or any five or more of them ſhall be thought fit to be altered; and then, and in ſuch Caſe, or in Caſe of Death, or Misbehaviour, or other Alteration, of any ſuch Perſon or Perſons, ſuch other Perſon or Perſons to be employed as ſhall be thought fit, by the chief Governor or Governors for the Time being, by and with the Advice and Conſent of the ſaid Lord Viſcount *Mountgarret*, and the reſt of the Perſons to be authorized as aforeſaid, or any five or more of them. And as to his Majeſty's Rents to grow due, at *Eaſter* next, and from thenceforth, the ſame to be payable unto his Majeſty, notwithſtanding a-

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ny Thing contained in the Article of the Act of Oblivion, or in any other Article to the contrary, but the ſame not to be written for, or levyed, until a full Settlement in Parliament as aforeſaid.

XXX. It is further concluded, accorded, and agreed, by and between the ſaid Parties, and his Majeſty is further graciouſly pleaſed, that the Commiſſioners of Oyer and Terminer, and Goal-Delivery, to be named as aforeſaid, ſhall have Power to hear and determine all Murders, Manſlaughters, Rapes, Stealths, Burning of Houſes, and Corn in Reeke, or Stacks, Robberies, Burglaries, forcible Entries, Detainers of Poſſeſſions, and other Offences, committed or done, and to be committed and done from the 15th Day of *September*, 1643. until the firſt Day of the next Parliament. Theſe preſent Articles, or any thing therein contained to the contrary notwithſtanding. Provided that the Authority of the ſaid Commiſſioners ſhall not extend to queſtion any Perſon, or Perſons, for doing or commiting any Act whatſoever before the Concluſion of this Treaty, by Virtue or Colour of any Warrant or Direction from thoſe in publick Authority among the Confederate Catholicks; nor unto any Act which ſhall be done after the perfecting and concluding of theſe Articles, by Virtue or Pretence of any Authotity, which is now by theſe Articles agreed on. Provided alſo the ſaid Commiſſion ſhall not continue longer than to the firſt Day of the next Parliament. In witneſs whereof his Excellency the Marqueſs of *Ormond*, Lord Lieutenant of *Ireland*, his Majeſty's Commiſſioner, to that part of theſe Articles remaining with the ſaid *Richard* Lord Viſcount *Mountgarret*, *Donogh* Lord Viſcount *Muskery*, Sir *Robert Talbot* Baronet; *Dermot O Bryen*, *Patrick Darcy*, *Geffery Brown*, and *John Dillon* Eſquires; and the ſaid *Richard* Lord Viſcount *Mountgarret*, *Donogh* Lord Viſcount *Muskery*, Sir *Robert Talbot* Baronet, *Dermot O Bryen*, *Patrick Darcy*, *Geffery Brown*, and *John Dillon* Eſquires; to that Part of theſe Articles remaining with the ſaid Lord Lieutenant, have put their Hands and Seals at *Dublin*, this 28 Day of *July*, 1646. and in the two and twentieth Year of the Reign of our Sovereign King *Charles*, King of *Great Britain*, *France* and *Ireland*, &c.

The Engliſh *Parliament's Manifeſto againſt the United Provinces of the* Netherlands, *Publiſh'd* July 31, 1652.

WHOEVER reflects hereafter on the many ſore Grievances which the People of the United Provinces ſuffer'd under the Yoke of Tyranny, before a Deliverance was wrought for them by the Divine Aſſiſtance; when 'tis remember'd for what Cauſes, and with what Impatience they thirſted for Liberty; and finally, how they have been at all times amicably ſupported and aſſiſted by the *Engliſh* Nation, not without great Expence of its Blood and Treaſure, Poſterity will hardly believe what unfriendly, nay what unjuſt Returns they have made to this Republick for ſo many Favours.

It is not our preſent Deſign to give a tedious Repetition of the then Situation of the Affairs of this Republick, when being oppreſs'd by a Tyrannical Government, we were oblig'd to take up Arms, for the Defence of our Lives and Fortunes, while we endeavour'd to aſſert our Birth-Right, and juſteſt Freedom, in Parliament, and not only to aſſert but to eſtabliſh it; in the aſſerting and eſtabliſhing of which Rights, God has vouchſaf'd by ſo many evident Miracles, and ſo many ſignal Battles throughout *England*, *Scotland* and *Ireland*, to manifeſt his Preſence and Aſſiſtance to that deſpicable handful of Men who adher'd to ſo good a Cauſe, with Faith and Perſeverance.

But we cannot omit the Attempt to ſow Diſcord among us, which happen'd in that memorable Year 1648. nor the formidable Armament againſt this Nation in 1650, which put us under a Neceſſity of proceeding as we did in *Scotland*, after Satisfaction for paſt Injurys, as well as Security for future Peace, was deny'd us, by thoſe who receiv'd the avow'd Enemy of this Republick from the *Netherlands*, where the moſt deſtructive Counſels were enter'd into againſt the *Engliſh* Nation, and from whence its Enemys were furniſh'd, both publickly and clandeſtinely, with very great Subſidys, by the Authority and Power of the

the Prince of *Orange* and others, at the very time when that Prince and his Favourites were, in all likelihood, caballing to tyrannize over that Republick, and to reduce thoſe Provinces to their priſtine Slavery, which they had well nigh accompliſh'd, eſpecially at the time, when he ſurpris'd the City of *Amſterdam*; which are Affairs much better known there than here, and foreign from our preſent Purpoſe.

Neither is the Remembrance of the Crueltys committed upon the *Engliſh* at *Amboyna*, by any means grateful to us; for which Wickedneſs, and others of much the ſame kind, not the leaſt Satisfaction has hitherto been given, tho often demanded.

But ſuch was the good Diſpoſition of the People of *England* towards thoſe of the United Provinces, ſo great their Deſire of confirming Liberty and a mutual Commerce, and thereby increaſing their Power, but chiefly the propagating the Orthodox Religion of the Proteſtants, which both profeſs, and which, in all human probability, wou'd have increas'd mightily by ſuch a reciprocal Friendſhip; and we found ſome of the firſt Rank, as well as the common People of thoſe Provinces, ſo well inclin'd towards this Cauſe, of which they gave ample Teſtimony, by their Bounty towards the poor Proteſtants of *Ireland*, that as ſoon as by God's Bleſſing, Affairs in *England* ſeem'd to be ſomewhat ſettled, the Parliament ſent an Ambaſſador towards the States General of the United Provinces, who in plain terms refus'd to admit him, as they themſelves well know.

Tho the Affairs of the *Engliſh*, by the Countenance of Almighty God, proſper'd every Day more and more, yet their Judgment continued the ſame, and the ſame their Diſpoſition towards their Neighbours; ſo that the Parliament ſent them another Ambaſſador, with whom they joyn'd *Iſaac Doriſlaus*, L. L. D. who were properly authoris'd and inſtructed for entering into any honourable Meaſures, that cou'd be found out for reconciling both Republicks. But one of thoſe Ambaſſadors, *Doriſlaus*, when he came to officiate in his publick Character at the *Hague*, at which place the States General uſe to hold their Aſſemblies, was there moſt villainouſly aſſaſſinated in the Face of the Sun; which wicked Murder all Mankind will no doubt reſent, as the moſt deteſtable Crime that cou'd be committed againſt the Laws of Nations, nay of Huma-

nity itſelf: Nevertheleſs they themſelves know, and muſt here be told, how little was done towards the detecting and apprehending the Aſſaſſins, even while the Fact was freſh, as well as afterwards, tho that Juſtice was often demanded from hence.

On the contrary, when thoſe Powers during the late Troubles, ſent *Borele*, *Renzwo* and *Joachim*, Deputies, as Ambaſſadors to *England*, and when they had given us a tedious Detail of all their Offices, it was found that they dealt clandeſtinely with the Enemy, and that by their means the Enemy was aſſiſted in all reſpects againſt the very Men to whom they came as Ambaſſadors, under the Pretence of Friends. Nor did thoſe Ambaſſadors ſcruple to caſt Reproaches upon the Parliament; for all which, by the Law of Nations, they had render'd themſelves liable to be call'd to Account, but nothing more was done, or even ſaid to them here; only Word was ſent to their Principals how they behav'd, and Satisfaction was thereupon demanded, but none has hitherto been given.

When Affairs were in this Situation, after it had pleaſed God to put an end to the turbulent State of *England*; when the Enemy had no Gariſon left in all *England*, nor no Forces, but every thing was calm and at reſt; when Affairs in *Ireland* alſo ſucceeded according to our Wiſhes, and the many Cities and Towns of that Iſland were in the Power of the Parliament; when the *Engliſh* Affairs in *Scotland* too were attended with almoſt equal Succeſs, and there was much leſs need for any Perſon to go from the Parliament to the States General of the United Provinces, for the ſake of imploring Aid: and altho we might have look'd upon our Neighbours as other Republicks us'd to do, yet we retain'd the ſame Opinion and the ſame Judgment, and thought it to be of the greateſt Moment, for the Common Good and Liberty, to promote the ſtricteſt Union between both Republicks, for eſtabliſhing the Proteſtant Cauſe, which its Enemys lay ſuch Snares for.

The Parliament therefore ſent a very ample Embaſſy, to the States General of the United Provinces; they ſent Ambaſſadors furniſh'd with ſuch Inſtructions, and veſted with ſuch Powers, that they might endeavour to heal the late Controverſies, and make as cloſe and ſtrict an Alliance as was conſiſtent with Equity and Reaſon, and the Dignity of this Nation, and with the Common Good of

both

both Republicks. Nay we can affirm, that thoſe Ambaſſadors receiv'd full Inſtructions and Powers from hence, to make thoſe Propoſals, and to tranſact ſuch Affairs with the States aforeſaid, as declar'd that the Diſpoſition and Good Will of this Republick towards the Subjects of the United Provinces of the *Netherlands* were ſtill the ſame.

What Inſincerity, what Delays thoſe Ambaſſadors were treated with on the very important Affairs which they were ſent for, from whence it came to paſs, that the Embaſſy was to no purpoſe; what Dangers they ran, to ſay no worſe, while they reſided with that moſt ſacred Character in thoſe Provinces, what Indignitys were put both upon them and their Servants, with Impunity; and finally, who were juſtly to blame for all this, is a Fact too manifeſt to be doubted. But theſe Delays of the Powers aforeſaid, and the Averſion of their Minds to Amity, having render'd that Embaſſy abortive, and the Honour of this Republick being wounded by the Affront offer'd to its Ambaſſadors, and by the Contempt of its Application for Friendſhip, the Ambaſſadors were recall'd home.

From what has been ſaid may be underſtood what has been done on the part of this Republick, for obtaining the firmeſt League and Friendſhip with the United Provinces, and with what honourable and upright Views the Parliament has apply'd for it. And while it had thoſe Difficulties to ſtruggle with in *Scotland* and *Ireland*, to which the Divine Providence thought fit to ſubject us; and when by the Aſſiſtance of the ſame moſt Gracious God, who always help'd us, the Affairs of *Ireland* were reduc'd to ſuch a State, that there was little or nothing left for us to do there, and the *Scots* War had prov'd ſo ſucceſsful to us, that the whole Country was as it were at our Mercy, and the *Scots* Army which came into *England* with *Charles Stuart*, Son to the late King, was routed and put to flight at *Worceſter*, where the greateſt part of them were kill'd or taken, and only the General with a handful of Men, narrowly eſcap'd from the Field of Battle; then and not before, the States General aforeſaid thought fit to ſend an Embaſſy to this Republick, which by us was receiv'd with that fondneſs, as plainly ſhew'd that we perſever'd in the ſame Opinion and Inclination for the Friendſhip of thoſe Provinces.

During the ſeveral Conferences, when we thought it moſt expedient to put an end to fruitleſs Delays, and to

come to ſome Certainty of what might be depended on, and for that reaſon inſiſted on certain plain Demands which it were eaſy to have anſwer'd, the Ambaſſadors always declin'd it, pretending that they wanted the neceſſary Powers; tho on peruſal of their Commiſſions it appear'd that they did not: adding, that to theend they might receive more ample Inſtructions, they muſt write to their Principals, and that before they cou'd have an Anſwer, the Provincial States muſt be conven'd: all which Particulars made us very ſuſpicious that they were not hearty for any Peace or Friendſhip.

Alſo while thoſe Conferences were held, in which their Ambaſſadors had pretended to proceed in their Debates on no other Motive but Reaſon and Equity, they certify'd the Parliament their Principals intended to fit out a hundred and fifty Ships, beſides that part of their Navy which was then abroad, for the Protection of the Merchant Ships at Sea, and for the Improvement of the Commerce and Navigation of the United Provinces, and not in the leaſt to incommode the *Engliſh*.

Whether they ſaid theſe Things to hold the Parliament in ſuſpence, or to alarm them, the States General themſelves well know, together with the Cauſes of fitting out ſuch an extraordinary Navy, when they had not an Enemy to be ſeen at Sea.

The Parliament made no Anſwer to it, but ſedately provided for their juſt Defence againſt any ſudden Attack. Nevertheleſs their Opinion remain'd the ſame in all Points, with regard to what was to be demanded or granted: they directed their Counſels by the Rules of Honour and Juſtice, for preſerving the Welfare and Right of both Republicks, and deſir'd again and again to bring the League in queſtion to a happy Iſſue; nor was any thing wanting, in their Power, for demonſtrating their Zeal to perfect it.

In the mean while the States of the United Provinces haſten'd their Naval Armament, and appointed the Place where the Ships were to rendezvous, and to form one Navy under the Command of him whom they call'd Admiral *Trump*. What were his Deſigns and Inſtructions is abundantly evident, not only from his conſequent Behaviour, but from former Proceedings. And particularly when one of their Ships fell in with a Man of War, commanded by Captain *Young*, who friendly admoniſh'd him

to pay the Compliment uſually made to the Convoys of this Nation; and which another Ship in her Company had paid, and that by way not only of a civil Salute, but as a Teſtimony of the undoubted Right and Dominion of the *Engliſh* over theſe Seas: Which Right is acknowledg'd by all the neighbouring Republicks and Princes, and particularly by the States General themſelves, and which even their Anceſtors have acknowledg'd Time out of Mind; a Fact not only eſtabliſh'd by Cuſtom, but by the moſt authentick Monuments, and ſuch Arguments as are irrefragable; nevertheleſs the Commander of that Ship refus'd to do this, and affirm'd if he did it, he ſhou'd loſe his Head.

The Conſequence of this was that wicked Action of Admiral *Trump*, which will appear to have been an Act of Hoſtility committed againſt Neighbours and Allies, join'd with them in Friendſhip and Alliance, and who had given repeated and earneſt Teſtimonys of their Deſire to continue and confirm it; a Wickedneſs committed under the Umbrage of an Alliance, and during Conferences propos'd by themſelves for making the League more ſtrict; a Wickedneſs complicated with ſo much Injuſtice and Arrogance, that the Right ſo undoubted which he deny'd to us he uſurp'd himſelf, repeating the Injury to this Day, and without any Provocation cruiſing upon the Ships of this Republick in the Narrow Seas, Shores and Stations, ſetting upon them of his own Accord in a hoſtile manner, and beginning a War, threatning Deſtruction both to our Men and Ships, and to clear the Sea of them, and totally to ruin the Trade and Navigation of this Republick, if God, in his great Mercy, had not turn'd the Ignominy and Detriment of that Wickedneſs upon the very Perſons who were the Authors of the Injurys.

After this Republick had ſo long patiently born ſuch groſs Affronts as cou'd not but exaſperate our People, when the Succeſſes at Sea did not anſwer their expectation, the ſaid States General thought fit to ſend another Ambaſſador Extraordinary to the Parliament, who, as his Predeceſſors had labour'd to do before him, ſtrove to excuſe the Counſels, Authority, and Commands of the Powers who ſent him, from the leaſt Privity to this Fact. Which tho the Preparations were ſo great, tho their Navy alter'd its Courſe, and cruis'd upon the Parliaments

Ships

Ships in their very Stations, and attack'd them of their own accord, without any Provocations, as is above demonſtrated, was term'd by the Ambaſſadors *an Accident*, and they ſaid it happen'd by *Chance*, and that it was by no means approv'd of by their Principals; who have nevertheleſs thought fit to continue the Author of that Wickedneſs in the Command of their Navy.

And tho this diſhonourable Action, which is ſo manifeſt and ſelf-evident, from the very Squadron which came under the Command of *Trump*, on purpoſe to attack our Navy in their Harbours, might be confirm'd partly by many Eye-Witneſſes, not only *Engliſh*, but even *Dutch*, Commadores, Sea-men and Maſters of Ships, who all agree in the Fact; yet a certain tedious and perplex'd Method of Inquiry is propos'd to us, and a Truce is deſir'd for a Suſpenſion of Arms and all Hoſtilitys, and for debating over again that old Treaty conſiſting of many Articles, which had been begun to be treated of by the former Ambaſſadors, on purpoſe that by gaining Time they might gain freſh Strength.

When we requir'd the Sight of this Ambaſſador's Inſtructions, he only produc'd certain Letters of Recommendation or Credentials, and certain Paſſports, but not one empowering him to act and tranſact with the Parliament. Such Power (which was the Life of the Cauſe) that he might in a ſort borrow, he had recourſe to the Ambaſſadors his Predeceſſors, who were order'd to act and tranſact concerning the League propos'd before: This Embaſſy they alſo acknowledg'd, and tho they came in general to promote a good Correſpondence and Friendſhip between both Republicks, and tho the Sieur *Adrian Pauw* came about a particular Fact, after the Negotiation of that Treaty was begun and proceeded in; yet the Parliament was ſo conſtantly inclin'd for pacifying theſe freſh Diſputes, if poſſible, in a friendly manner, that they enter'd into a Conference with *Adrian Pauw*, waving for the preſent any manner of Objection that might juſtly ariſe from the inſufficiency of his Powers.

And whereas nothing was propos'd in particular by that Ambaſſador, but only the General Points abovemention'd; and whereas he even requir'd that the Parliament ſhou'd propoſe their Demands to him, it was thought fit by no means to inſiſt on the Inconvenience this might be to us, but immediately to ſend the Demands to the Ambaſſador,

baſſador, concerning Satisfaction for the Injurys already committed, and concerning the Security to be given for the future. From hence he cou'd not well deny his Aſſent to the Demands of the Satisfaction which both Partys might have mitigated and determin'd, as was ſignify'd to him in another Memorial. And if by this means he had agreed to the Satisfaction (deferring the Demand for receiving the Security to another time) the Truce might have been made, and there wou'd have been a Suſpenſion of all Hoſtilitys as deſir'd; to which the Parliament on theſe Terms willingly conſented.

But rather than agree to any Bargain of that ſort, or in particular to caſt up the Account, he declin'd inſiſting upon the Truce which he was ſo hot for a little before, altho it was in his own power to obtain what he had deſir'd; and therefore altogether wav'd that Demand, and inſiſted in his own name, and that of the other Legates, that they might have Audience as ſoon as poſſible for the ſake only of a free Paſſport to return to their own Country, whither they ſaid they were recall'd by the moſt urgent Commands. Nothing was deny'd them which might be of Credit or Uſe to them on their Return; nor, while they reſided here, were they treated by any Perſon, as the Miniſters of this Republick were treated in the *United Provinces*; and by this their Departure they put an end to both the Treatys of Alliance, without having debated all the Articles.

Laſtly, having had their Audience in Parliament, they repeated many of the Particulars mention'd in their former Memorials; but as to what they urg'd relating to the Commiſſion of Hoſtilitys, not in the leaſt expected, nor ſo much as ever declar'd, and that their Ships (carry'd by force into the *Engliſh* Harbours, and there unexpectedly detain'd before any Hoſtility was publiſh'd, their Captains not knowing that there was a War, nor being conſcious to themſelves of any Offence they had given to occaſion it) might be releas'd, the Parliament need only refer them to that Narrative publiſh'd by themſelves, which was ſent to the Ambaſſadors of the States General before the Arrival of *Adrian Pauw*, and inſpected by him as ſoon as he came.

And altho the Parliament neither deſerv'd nor expected the firſt Violation of the Treaty and the Injury done by

Trump,

Trump, yet after it was done, it cou'd not be imagin'd but that they who had ſuffer'd it ſhou'd purſue the Authors of it, who never yet offer'd any Satisfaction; unleſs the Parliament had tamely caſt themſelves at the Feet of thoſe who by that Fact aim'd at their total Deſtruction, and unleſs they had a mind to make them a Preſent of this Nation's Right and Safety, which ſurely no body wou'd think conſiſtent with their Duty and Honour.

From a Peruſal of what we have now publiſh'd, with all the regard in the World to Truth, every body will ſee with what Affection and Conſtancy the Parliament has, as it were, courted the Friendſhip of the *United Provinces*, and how diligently it has avoided all Diſputes and Occaſions of War with that Republick, while the latter has rejected all, even the juſteſt Terms of Friendſhip and Alliance.

But at length, after this Commonwealth has been attack'd by Arms, her Ships ſhatter'd, and ſome of her Subjects kill'd without any the leaſt pretence of Provocation given by us, (which Facts, and the Conſequences that might have attended them, if they had ſucceeded according to their wiſh, wou'd have expos'd not only the Rights, Honour and Commerce, but the Welfare, and the very Life as it were of this Republick, to the utmoſt Danger) the Parliament has thought it their Duty, and found themſelves under an unavoidable Neceſſity to defend themſelves from a moſt diſagreeable War kindled againſt them; and ſo long as a juſt Satisfaction and Security can be had by no other way, to endeavour to obtain them by thoſe Means which God has put into their Hands.

And as the Parliament has abundant Pleaſure in reflecting on the Equity of its Proceedings, and on the faithful Diſcharge of its Duty, ſo they hope that all Lovers of Truth and Juſtice will accept this famous Teſtimony of their moſt righteous Cauſe; the Iſſue of which they recommend, not to crafty Counſels, nor to human Power, but to the Goodneſs and Succour of that juſt God who has hitherto ſo miraculouſly interpos'd in the Affairs of the *Engliſh*, and who was never wanting to thoſe who truly worſhip him, and who wait for his Aſſiſtance with a godly Confidence, and an upright Heart.

Henry Scobell, Clerk of the Parliament.

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The Manifeſto or Declaration of the States General of the United Provinces of the Netherlands, *Containing a true Account of the Sincerity of their Intentions, and the Juſtice of their Proceedings, in relation to the Treaty betwixt them and the Ambaſſadors Extraordinary and Deputies from the preſent Governors of* England, *here at the* Hague, *and afterwards in* London: *With a Narrative of the unjuſt and violent Proceedings of the ſaid Governors, who have oblig'd the ſaid Lords the States to uſe Retortion, for defence of their Country and Subjects from the Wrongs and Outrages which they commit; done at the* Hague, *Auguſt* 2, 1652.

THE States General of the United Provinces of the *Netherlands*, to all who ſhall ſee or hear theſe Preſents, Greeting. Conſidering that all Sovereign and Legal Powers, as being ordain'd of God to procure the Weal of their Subjects, as far as is in their Power, are oblig'd not only to govern them with Moderation, to keep a good order in their Police, and finally to prevent with Caution and divert with Prudence every thing from without that is capable of diſturbing their Tranquillity, or of aggrieving

aggrieving or injuring them; knowing moreover, that 'tis no leſs praiſe-worthy and honourable than it is uſeful and agreeable to lay an Obligation upon all Dominions, but particularly neighbouring States, by all the Good Offices that are conſiſtent with Reaſon and Decorum, in order, by that means, to continue in a good, true and ſincere Underſtanding and Correſpondence with them; and in caſe of any Miſunderſtandings, not only to employ themſelves with Zeal and Diligence, to put an end to them by the ways of good Nature, Friendſhip and good Will, but if the Caſe require it, and there be no other Remedy, to uſe the Power which God has put into their Hands, and to repel by Arms with the utmoſt Courage and Vigour, the Outrages and Violences committed upon their People, and to procure them Satisfaction and Reſtitution for the Wrongs which have been unjuſtly laid upon them, and the Damages they have receiv'd. It being therefore our Aim to ſhew the good and ſincere Intentions we have to practiſe both Expedients, (returning Thanks to God, that his Bleſſing is ſo diffus'd upon our Conduct, that our Care and Affection for our Subjects are viſible by the reciprocal Love and voluntary Obedience that they pay us, which is the Eſtabliſhment, Confirmation and Preſervation, both of them and us) we have not only endeavour'd religiouſly and unfeignedly to obſerve the antient Friendſhip and good Correſpondence which has been at all times between our Nation and the *Engliſh*; but moreover, when we ſaw the ſaid Nation divided againſt itſelf for ſome time paſt, and rent into Factions, raging againſt each other with Fury, our Hearts were overwhelm'd with Sorrow, and ſetting aſide every partial Affection, by which we might have provok'd either of the Parties againſt us, we gave the neceſſary Orders to prevent, as far as poſſible, any of our Provinces from tranſporting any thing that might ſpread the Fire that was kindled among them, exaſperate their Wounds, and render their Cure more difficult and impracticable; and what is more, hearing that their Diſſentions had already occaſion'd great Deſolation, Poverty and even Famine in ſome of their Provinces; and being earneſtly deſir'd by the two Houſes of Parliament that were then ſitting, to permit Collections to be made in this Country, for the Support and Maintenance of ſo many poor unhappy Perſons, of whoſe Miſerys they were Eye-Witneſſes, we and our Good Subjects were ſo ſenſibly affected at

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the hearing of ſo many Misfortunes, and mov'd with ſuch tender Pity at the Relation of ſo many Miſeries, that when we had given that Permiſſion, purſuant to the earneſt Intreaty of the ſaid Parliament, a great Sum of Money was collected, amounting to ſeveral Tons of Gold; the Effect of the Liberality of the Gentlemen of theſe Provinces, who were alſo ſent to them, to the end that they might employ them to the purpoſes for which they had been given; which at that time they took ſo well, that both Houſes of Parliament ſent us their Letters of Thanks for it, accompany'd with external Marks of great Affection; deſiring, that to give them the greater Sanction, their Reſident here, at that time, wou'd confirm them to us by word of Mouth.

Now the Zeal and Affection we had for them not permitting us to think we had done enough, till we had pacify'd all Miſunderſtandings between them, by a ſincere and mutual Reconciliation of Minds, ſo contrary and ſo imbitter'd againſt one another; and perſuading ourſelves that after the evident Proofs we had given them of our good Inclinations for their Welfare and Tranquillity, we might be proper and agreeable Mediators for the Advancement of ſo great and excellent a Work, we thought ourſelves oblig'd to make an Experiment of it, by ſending an extraordinary Embaſſy to the King and the two Houſes of Parliament, and employing for that purpoſe the Sieurs *William Boreel*, and *John Van Reede*, Lord *de Renſwoude*.

But God, whoſe Decrees are unſearchable, not permitting that thoſe Troubles ſhou'd be accommodated at that Juncture, and having ſo order'd Affairs that the Government of *England* chang'd its Form, and that ſame Government ſo alter'd, having, under fair and ſpecious Pretences, propos'd to make a Treaty of mutual and ſtrict Alliance with us; and we ſincerely believing that they wou'd proceed therein candidly and ſincerely, and having alſo this Conſideration, that it wou'd be a very good Means to procure the Tranquillity and Security of Navigation and Commerce, not only for ourſelves, but alſo for all the Kingdoms and other Countrys who ſubſiſt by Traffick and Navigation, and eſpecially for thoſe of our Neighbours, who otherwiſe wou'd be involv'd in Troubles and Confuſion, from whence Miſunderſtandings wou'd reſult betwixt us and the ſaid new Government, by reaſon of the Competition of the ſame Intereſts, we convinc'd them

not

not only that the Offer which they made to us was not diſagreeable to us, but alſo when they ſent to us *Oliver St. John* and *Walter Strickland* their Ambaſſadors Extraordinary, we ſought all the ways poſſible, and as far as conſiſted with the Conſtitution of the Government of our State, to facilitate the Progreſs and Concluſion of the Treaty; ſo that when the ſaid Ambaſſadors enter'd into a Conference with the Commiſſioners, choſen and deputed on our part, and advanc'd a very general and unlimited Propoſition, they were deſir'd by our Deputys (after our ſolemn Proteſtations of our Deſire, and ſincere Inclination for Peace) to explain that ſo general Propoſition by more particular Overtures, and to reduce it into more clear and expreſs Propoſitions, in order to pave the way for a ſpeedy and ſolid Concluſion. And tho we urg'd a great many pertinent Reaſons to them upon this Head, and by a Counter Propoſal endeavour'd to bring them into it; the ſaid Ambaſſadors ſoon after their firſt Audience, touch'd upon it very ſlightly, and ſhew'd a Diſpoſition to return home; but at length, after many perſuaſions, they were prevail'd on to ſtay a-while longer, during which they deliver'd in a more ſpecific Propoſal, which was conſider'd on our part with ſo much Diligence (eſpecially when we heard that they declar'd publickly that this was the moſt important of all, and that it was of ſuch a nature, that if we once agreed to it, the reſt wou'd be of no difficulty) that the ſaid Ambaſſadors acknowledg'd, we had enter'd ſo far into their Sentiments, that as to the Subſtance of the Matter, there remain'd little or no difference betwixt us. Moreover, we proceeded farther to what we thought of advantage for the Welfare of both Nations; (ſaving nevertheleſs our Alliances at that time with the other Kings, Republicks, Princes, and States) nay, to what might have tended to the entire and perfect Accompliſhment of the ſaid Treaty: and when we waited for a more expreſs Declaration upon that Head, from the ſaid Ambaſſadors, they exempted themſelves by reaſon of their precipitant Departure, pretending that the Time which had been allow'd for their Stay was expir'd, and that therefore it was impoſſible for them to enter farther into the Examination of the Matters which we had propos'd to them, for the Ends aforeſaid. Now, tho ſuch Methods of Proceeding were enough to give us a ſuſpicion of the Sincerity of the ſaid Government's Inclinations for the Treaty aforeſaid,

yet

yet conſidering that the Lapſe of a little time, which had made no Alteration in the Thing, ought not to change their good Intentions, nor by conſequence ſtop the Progreſs of the ſaid Treaty; we reſolv'd on our part (preferring the Dignity and Excellence of the Thing which was ſo agreeable to us, to all external Formalitys, after the Proteſtation which the ſaid Ambaſſadors had made to us, and eſpecially when they took their leave of us, of the Sincerity of the Intentions of the ſaid Government, and after their Declaration, that tho their Negotiation had not ſucceeded anſwerable to their Wiſhes, nevertheleſs, it wou'd have Effect in due Time and Place, if we wou'd but vouchſafe to return the Viſit to the ſaid Government) to depute a conſiderable Embaſſy to thoſe whoſe Ambaſſadors had juſt left us; and, to this end, we made choice of the Sieurs *Jacob Cats*, *Gerard Schaep*, and *Paul van de Perre*, as Ambaſſadors Extraordinary, who having receiv'd our Inſtructions, ſet out in *December* laſt, notwithſtanding that, after Meſſieurs *St. John* and *Strickland* went, thoſe of the ſaid Government had publiſh'd and poſted up a vile Act, or Order, that ſavour'd neither of the good Friend nor the good Neighbour, whereby the uſual Freedom of Commerce was remarkably curtail'd, and the Correſpondence between the two Nations (which in the mean time is the principal thing for eſtabliſhing and fortifying Friendſhip and Credit) very much leſſen'd on their part; notwithſtanding alſo that the taking of ſeveral of our Ships had given us occaſion to think, that the Intentions of thoſe Gentlemen did not come up to that Frankneſs with which we declar'd ourſelves to them. And indeed it did not remain a Secret long; for when our Ambaſſadors Extraordinary were arriv'd in *England*, and in our Name made a ſerious and ſincere Declaration of our Deſire for proceeding to the Accompliſhment of the Treaty which had been commenc'd in theſe Provinces; inſiſting, that for the doing it with the more Diſpatch and Succeſs, all things might be reduc'd to the Footing they were on, when Meſſieurs *St. John* and *Strickland* left us; at leaſt till we ſaw what wou'd be the Iſſue of the ſaid Treaty: and that in the mean time the ſaid Order ſhou'd be revok'd, as intirely prejudicial to the Motive and Aim of the ſaid Treaty, or that, at leaſt, the Execution of it might be ſuſpended, and the Ships and Merchandize that were made Prize reſtor'd to the Owners; the ſaid Government, in-

ſtead of paying the leaſt Regard to thoſe Remonſtrances, as it ought to have done, both in Reaſon and Equity, thought fit, even during the Conferences for confirming the antient Alliance, and for finding out Methods to enter into a more ſtrict Communication of Affection and Correſpondence, that the ſaid Act and Order ſhou'd be put in full Force; and upon divers very groundleſs Pretexts, (becauſe we never refus'd nor delay'd Right to any one that demanded it of us) we may ſay, contrary to the Rights and Practice of all Nations that underſtand the meaning of Police, if not contrary to the antient Treaties made between the two Nations, *viz.* the Pretexts of Repriſals againſt the *French*, &c. they have from all Quarters attack'd the Ships of our good Subjects, as well by the Hands of private Perſons uſing Repriſals, and the Officers of the ſaid Government, as by all manner of Pirates, who under their Cloke have committed Robberies upon all the reſt, falling upon our Ships at Sea as if they were their Enemies, fighting, taking, and carrying them off, plundering their Cargoes, and abuſing our Pilots and Mariners, in ſpite of all that our Ambaſſadors cou'd do to prevent it, much leſs to obtain a Reſtitution for our Subjects, or a Reparation of the Wrongs done them by theirs. Now, tho this Cloud of Reaſons was more than ſufficient to induce us to ſhew our Reſentment in another manner, *viz.* by making ourſelves and our good Subjects amends, by arreſting the Ships and Merchandize of the Subjects of the ſaid Government, by way of Repriſal; yet hoping that at length they wou'd ſubmit to Reaſon, and that by the Treaty all things wou'd be ſet on a juſt and equitable Foot, we were not willing to permit the leaſt Hoſtility to be committed againſt them, tho the intolerable Outrages we ſuffer'd from them provok'd us to it: nay, when we were earneſtly requir'd by our good Subjects, who ſmarted under their Acts of Violence and Rapine, to grant them Letters of Repriſal, and the neceſſary Commiſſions for that end, we abſolutely refus'd them. But as on the one hand we have endeavour'd by means of our Ambaſſadors Extraordinary, to advance the ſaid Treaty in general, and to forward the Reſtitution of the Ships and Merchandize taken in particular; ſo on the other hand, we reſolv'd to equip and put to Sea a conſiderable Fleet for putting a ſtop to the Cruiſes of the Pirates, and their Robberies for the future, and to preſerve our Inhabitants from the greateſt

greateſt Loſſes, and Commerce in general from total Ruin. And, leſt thoſe of the ſaid Government, by any Miſconſtruction, ſhou'd happen to take Umbrage at it, to prevent this, we order'd our Ambaſſadors to acquaint both them and all our other Friends and Neighbours, fairly and conſcientiouſly, with our ſaid Reſolution: declaring alſo, ſincerely and candidly, that the ſaid Armament was not made to damage or incommode any of our Friends and Allies, nor ſo much as to injure any of the Subjects of the ſaid Government; but on the contrary, that it was our unalterable purpoſe to maintain a good and ſincere Friendſhip and Correſpondence with the ſaid Inhabitants, as good Neighbours are oblig'd to do.

And tho this Declaration ought to have been accepted as a Proof of our Sincerity, eſpecially by the ſaid Regents, who not long before, when a much ſmaller number of our Ships ſailed to ſome Iſlands, which had not yet recogniz'd their Government, were diſguſted that we had not acquainted them of it in time; yet we plainly perceiv'd, that as their View was only to heap up Pretences for executing the Deſigns which they had form'd at a proper time and place, with ſome Colour of Plauſibility, they intended to make the Notification we had given them of our Deſign ſubſervient to that purpoſe; inſomuch, that our Ambaſſadors were conſtrain'd to give them more expreſs Explanations on our part. And, yet when our ſaid Ambaſſadors preſs'd the Concluſion of the Treaty, they behav'd in ſuch manner, and with ſuch Courage, that thoſe of the ſaid Government were at laſt compell'd to take off the Mask, being no longer able to conceal the Coal that was hid in their Breaſts; which was, that while they were pretending Friendſhip, and feeding us with the vain hopes of a Treaty of Alliance, they might ruin our Commerce, and by that means weaken the Power of our State; of which we have ſince had an undeniable Proof, when their Admiral meeting our Admiral *Tromp*, whom we had made Commander of our Fleet, and perceiving that the ſaid *Tromp* did not ſtrike his Flag as ſoon as he wou'd have had him, (tho we know from good Hands, and ſeveral Witneſſes, who all declare the ſame thing, and even from Perſons neutral and altogether diſintereſted, that he was actually preparing to ſtrike his Sail, and fitting out his Long Boat to carry his Compliment to the *Engliſh* Admiral) he gave him an unexpected Volley from a whole Fire of

his Guns at once, by which ſeveral of our Admiral's Men being wounded, our ſaid Admiral and the Ships that were with him were oblig'd to be upon their Guard; wherein they were ſo moderate, that tho they were much ſtronger as to the number of Ships, and enough to have ruin'd the Aggreſſors whole Fleet, if they had thought fit, yet they deſiſted and only ſtood in their own Defence: which Diſcretion was, nevertheleſs, ſo little regarded by their Oppoſites, that another of their Squadrons fell upon the Rear of our Fleet as it was retiring, as if they had been the greateſt Enemies, ſunk one, and carry'd off another with him.

Now, to the end that what paſs'd upon this occaſion might furniſh the Regents with a plauſible pretext for breaking off the Treaty aforeſaid with ſome Noiſe, they have ſpread a Report among their Subjects, and endeavour'd to proclaim it every where, and to make all Mankind believe, that we were the firſt Aggreſſors on this occaſion; which ſo exaſperated them, that they immediately put themſelves in a Poſture to make open War upon us, without complaining to us in the leaſt beforehand, or demanding Reparation for the Injury which they pretended in this Inſtance to have receiv'd from us: tho in reaſon they ſhou'd have taken that Step, if their Intentions had been ſincere, and tho they were oblig'd to it by the Treaty that was then on foot betwixt us. On the contrary, we being inclin'd to do every thing in our Power to redreſs what had been done amiſs, without ſtaying to know where the Blame lay, no ſooner heard of what had paſs'd, but we declar'd by our Ambaſſadors Extraordinary publickly, and before their Council of State, that the Fact, as it was currently reported among them, happen'd without our Knowledge, and was in this reſpect diſavow'd by us, as contrary to our Orders; which they alſo prov'd more fully by a Letter of our Admiral's own Hand-writing, wherein he gave a verbal Account of the Commiſſion that we had given him. And to ſhew that we heartily deſir'd to enter into an Alliance with thoſe of the ſaid Government, and that we wiſh'd nothing more than to live at Peace with them, we earneſtly requeſted them to make the ſtricteſt Inquiry into the Truth of what had paſs'd upon this occaſion, which had ſurpriz'd us all, and for this purpoſe to put their Informations into our Hands; by which means the Treaty (which we thought ſo far advanc'd that nothing

remain'd

remain'd but to reviſe and put the laſt Hand to it) wou'd not have been retarded by ſo unexpected an Incident, which happen'd againſt our Will, and only thro' the Inadvertence or Malice of ſome body that muſt have anſwer'd for it; and whatever had been the Reſult, the Affair wou'd have remain'd in *ſtatu quo*, and without creating any farther Miſunderſtanding.

But tho our Propoſition aforeſaid was of very great Weight, and of high Importance, becauſe the Welfare of both Nations was the View of it; yet the ſaid Government not only ſtay'd a long time without vouchſafing to return us an Anſwer, tho the ſaid Propoſal was made in our Name, and tho we afterwards gave in expreſs Memorials upon it to their Council of State again and again; adding a Confirmation of the Sincerity of our Intentions, and of our Uneaſineſs at this unexpected and unhappy Incident: and moreover they gave Orders for taking as many of our Men of War and Merchant Ships as cou'd be come at, which has been done accordingly ſince, ſome having been attack'd, ſome beat, others ſunk, others under pretext of Friendſhip decoy'd, over-power'd, and deſtroy'd, the Soldiers and Seamen plunder'd and abus'd, and carry'd into their Harbours and Rivers, with as much Violence as if we had been at open War; and without advertiſing us that they renounc'd the antient Friendſhip, they have deplorably ſpilt a great deal of innocent Blood, and ruin'd many of our good Subjects.

Notwithſtanding all this ill Treatment, which was enough to have tir'd out our abus'd Patience, in order for our full Juſtification, and to let the whole World ſee the Spirit of Peace and Moderation by which we were conducted, and regulated in all our Proceedings, having nothing more at Heart than the Increaſe and Preſervation of a happy Concord, a true Confidence, and a firm Friendſhip with our Neighbours; and, on the other hand, having nothing in greater Abomination than the horrid conſequences of a ruinous War, and the lamentable Effuſion of the innocent Blood of ſo many Chriſtians; beſides the Ambaſſadors Extraordinary who attended the ſaid Regents on our part, we ſent with all Diſpatch a ſecond Extraordinary Ambaſſay, *viz.* the Sieur *Adrian Pauw*, Lord of *Heemſtede*, Counſellor *Penſionary* of the Province of *Holland*, &c. and to the end that the Alliance aforeſaid might be the ſooner concluded, his Commiſſion was drawn up with

a particular View to what had paſs'd between the two Admirals, and to the Conſequence of that Action; to which was added a more expreſs Declaration of the Sincerity of our good Diſpoſitions towards them, and of our Zeal for preventing matters from coming to an Extremity. And becauſe the ſaid Government had in the mean time given in their Anſwer to the Propoſal, and to the repeated Memorials which we caus'd to be deliver'd to them by the Hands of our firſt Ambaſſadors, and the Regents having in their ſaid Anſwer been govern'd by the ill Impreſſion which they had entertain'd, and which they indulg'd in the wrong Senſe, on purpoſe to give ſome Colour to the Injuſtice of the pernicious Deſign (hateful, no doubt, both to God and Men) which they ſecretly aim'd to accompliſh, as if we had equipp'd the Fleet with no other Deſign but to attack and fall upon them as Enemies with open Force; without having any regard to the Proteſtations which we had made to them on the contrary, they declare that they are bound to ſeek Reparation on all proper Occaſions for the Injury which (as they ſay) has been done them, and to obtain Security that the like ſhall not happen for the future; wherein they plainly demonſtrate that they never had any Will or Inclination for bringing Matters to an Agreement, but that their only Deſign was to proceed, as they had began, with Violence. The Sieur de *Heemſtede* powerfully defeated that Impreſſion before the Parliament firſt, and then before the Council of State; and taking God, who knows all Hearts, to witneſs, this Gentleman, who was thorowly acquainted with the Affair, his Poſt giving him a Title to be preſent at all the Aſſemblies, and he having been actually preſent at all the Conſultations that had been held upon this Matter, both with us and in the Aſſemblies of the States of *Holland*, he proteſted ſolemnly and truly that it never enter'd into Debate, much leſs into a Reſolution; and conſequently, no Order or Commiſſion cou'd have been granted to offend the ſaid Government, in any reſpect whatſoever: little therefore did they think of attacking their Fleet, or mal-treating any of their Ships; but on the contrary, in order to give them Teſtimonies of true Friendſhip, and of our hearty Inclination to an Agreement, he declar'd once again, that the Battle between the two Fleets happen'd without our knowledge, and that we were heartily ſorry, and vex'd to think of it.

And

And becauſe the ſaid Regents put a wrong Conſtruction upon the Affair, and boggled at it like a Stumbling-block; and becauſe in their Anſwer they had demanded Reparation for what was paſs'd, and Security for the future, the ſaid Lord *de Heemſtede* declar'd publickly, according to the Inſtruction we had given him, that it was neceſſary to remove that Stumbling-block, as well as all Jealouſies and Diffidence, by due Explanations; and that this was the chief Buſineſs he was ſent to them for: after which he exerted himſelf in good earneſt, that the Treaty began, and already far advanc'd, might be perfected; and that for the ſatisfaction of both States, a due Regulation might be eſtabliſh'd, which the Ships of both Nations ſhou'd obſerve for the future; adding a Proteſtation, that our State never had a thought of diſputing with the *Engliſh* Nation that Honour and Dignity which we had hitherto paid it. And finally he requeſted, that while ſo good a Work was in Hand, the ſaid Regents wou'd give ſuch proper Order, that the Acts of Violence to which the ſaid Accident had given Occaſion, and which had continued ſo long, and by which the Evil wou'd be render'd incurable, might be finally terminated.

Moreover, in the ſeveral Conferences that he held with the Commiſſioners that were deputed to treat with him on the part of the Council of State, he was more explicit with them, and in our Name earneſtly deſir'd that the Informations taken on both ſides, as to the Battle, for the better Diſcovery of the Truth, might be put into the Hands of certain Commiſſioners choſe on both ſides for that purpoſe, for the ſtricter examination of them, and for the finding out which of the two Admirals was the Aggreſſor, and by that means the Cauſe of all the Diſorders and Inconveniences that have happen'd ſince; promiſing, that in caſe it was prov'd upon our Admiral, we were not only ready to diſavow him, and to blame his Proceeding, but alſo to puniſh him according to the Exigence of the Caſe, as having exceeded our Orders, and the Commiſſion we gave him: on condition, nevertheleſs, that if it ſhou'd appear otherwiſe, they wou'd proceed in the ſame manner againſt their Admiral, in caſe that he ſhou'd be convicted by the Informations of having begun the Quarrel; inſiſting, moreover again, upon the Demand he had made all along, as well as our other Ambaſſadors Extraordinary, that in conſequence of the Offer which he had made to

them, the Treaty might go forwards; or at leaſt that the Ships and Merchandize taken by violence from our good Subjects, or detain'd and ſtopp'd by force in *England*, as well as the Captains, Pilots, and Mariners, might be releaſed and ſet at Liberty, and that all Acts of Hoſtility might ceaſe.

Now tho the Offer we made to them was ſuch that no reaſonable Creature, if he had but one Grain of Inclination to Peace, cou'd have rejected it, and tho the Thing was confirm'd to them by Inſtances of divers ſolemn Treaties, (without entring into numberleſs particular Examples which might have been produc'd from other Nations on ſundry occaſions of this nature) nevertheleſs the ſaid Council of State knowing that their Share in the Tranſaction which had happen'd between the two Admirals cou'd not bear to ſee the Light, and therefore waving the Inquiry we deſir'd might be made into the Truth, which in the mean time even in a private Affair cannot but be deem'd ſacrilegious, abſolutely refus'd the Examination which we demanded of the ſaid Informations, rais'd Objections againſt the Progreſs and Continuance of the principal Treaty; and then declar'd, that conſidering the preſent State of Affairs, we had nothing to expect from them but that they wou'd not ceaſe to purſue their Plan mentioned in the Anſwer which they had heretofore given to Meſſieurs *Cats*, *Schaep*, and *Vander Perre*, on the Propoſal which they deliver'd to them, and that they had no other Views than what were therein expreſs'd. This was an Anſwer indeed more grating than the former, and much more unreaſonable, conſidering the generous Offer which we had juſt made to them; an Anſwer full of Violence beyond meaſure, and indeed more than enough to have oblig'd us to have put a ſtop to our amicable Proceedings, and to our good-natur'd Purſuits, eſpecially while we ſaw the Ships and Effects of our good Subjects inceſſantly plunder'd and robb'd. Nevertheleſs, in order to demonſtrate the Firmneſs and Conſtancy of our Inclination, and of our earneſt Deſire that every thing ſhou'd proceed amicably, and be attended with a good Iſſue, to the mutual Satisfaction both of them and us, the ſaid Sieur *de Heemſtede* ſpeaking in our Name (and on this ſingle Conſideration waving what was a point of Honour and Reſpect, and what in any other Caſe muſt have had great Weight) deſir'd of thoſe of the ſaid Government, that, to the end it might not be ſaid

the

the Treaty was entirely broke off, they wou'd pleaſe to make ſome Propoſals on their own part, becauſe ours had not ſucceeded, that it might appear whether they wou'd be more conducive to the End we aim'd at; in hopes that when Reaſon once prevail'd in the ſaid Government, our Proteſtations wou'd be admitted as ſincere, and free from all Hypocriſy and Diſſimulation, and that the grateful Conſideration of Peace ſuperſeding the turbulent Thoughts of War, wou'd furniſh them with benign Diſpoſitions for extricating us out of the preſent Troubles, and for warding off thoſe which threaten'd us hereafter.

But the ſaid Regents, while they manifeſtly abuſed our Candour to feed their Arrogance, and our Moderation as a Torch to kindle their inſatiable Deſires, and made our amicable Purſuits a Foundation for demanding things which, neither in Appearance, nor in Equity, they ought to have deſir'd, and which we cou'd not grant them without forfeiting our Honour and Reputation, were not aſham'd to propoſe, that we ſhou'd pay them a round Sum, to be agreed upon afterwards, towards the Expence and Loſſes which they ſaid they had incurr'd on occaſion of that extraordinary Fleet which we had put to Sea; and that when the ſaid Sum was paid, or Security given for the Payment of it, then Acts of Hoſtility ſhou'd ceaſe, tho the ſaid Armament was at firſt only ſet on foot for the Reaſons abovementioned, and tho as ſoon as it was reſolv'd upon, and even before it was ripe for Execution, we gave a full Account of it to thoſe of the ſaid Government frankly, and without reſerve; we will venture to ſay, that tho neither they, nor any of their Subjects, had not diſcover'd any mark of Ill-Will, ſo far from having ſuſtain'd any Damage, either from the ſaid Fleet, or any other of our Ships, yet, on the contrary, our Ships were ill treated by theirs, ſome ſunk to the bottom, others taken with a great number of Merchant Ships richly laden, and carry'd into their Harbours; nay, that they did to us ſeveral Millions Damage, as well as to our poor Subjects. Moreover, they had no regard to what we were treating and conferring about, but ſent their Fleet to Sea before the Iſſue of the Negotiations was in View, blindly made haſte to break the antient Alliance between the two Nations, and affected to render the Wound incurable, by making another Seizure of many Ships belonging to this State, and deſtroying them without Mercy; thus heaping

up

up Wrongs, Injurys, and Robberys, to pile them in Loads upon the back of our State, which God, by his Grace, has ſo long preſerv'd in Proſperity, and render'd ſo conſiderable to its Friends, and ſo formidable to its Enemies.

Now it being viſible that all thoſe irregular and unjuſtifiable Actions, and all thoſe violent Proceedings, had no other Tendency but to weaken our Power at Sea, to ruin our Commerce at Home, and thereby to take Poſſeſſion of the imaginary Empire, which the ſaid Government lays Claim to over the Sea, and to begin it, in ſhort, by us, and over us, and in time to extend it over other Nations, and if poſſible to render them Tributary, We, after having with an exemplary Patience, tho in vain, try'd all the Methods of Juſtice and Reaſon, to induce thoſe of the ſaid Government to conſult with us for the Welfare of their and our Subjects, and conſequently to divert them from their pernicious Projects, and to mitigate paſt Offences, and to induce them to reſtore the Ships and Effects of us, and the Inhabitants of our Provinces, which they have taken or detain'd by force, to make Reparation of the Loſs and Damage which they have done them without Cauſe, to renew the antient Friendſhip which the ſaid new Government has violated for ſome time paſt, to make a good ſolid Treaty founded on, and ſupported by Sincerity, Truth and the Devoirs of a mutual Confidence; having, we ſay, ſought all theſe gentler Methods, but in vain, and without hopes of ſucceeding by them, we have, purſuant to the Law of Nature, and that which binds us to our Subjects, and which obliges us to preſerve them from all Violence, all Injuſtice, and all manner of Outrages, to procure Reparation of the Loſs and Damages which they may have receiv'd, as alſo to reſtore Commerce to its antient Freedom, and to reſiſt the violent and pernicious Deſigns of the ſaid Government, which being intoxicated with the Succeſs it has had at Home, ſeems to extend its inſatiable Deſires beyond all Bounds; after mature Deliberation, and being thereunto compell'd by urgent Neceſſity, we have, at length, reſolv'd and thought fit to employ the Power and Means which God and Nature have put into our Hands, and to make uſe of them againſt the ſaid Government, and the Subjects thereof, in order to recover from them by force of Arms, and by way of Repriſal, what we have not been able to obtain by

Reaſon and Friendſhip, with an Intention and Reſolution not to deſiſt till the ſaid Government quit the Courſe which they are now ſteering, till they have reſtor'd to us what they have violently and fraudulently taken and ſtopp'd, and made us amends for the Injurys, Loſſes, and Damages which we have ſuſtain'd upon their Account, and by their Means. And, becauſe we are dragg'd as it were into this Reſolution by Force, we are firmly perſuaded that it will be own'd and commended by the whole World, and that the Lord God will bleſs the Juſtice of our Cauſe, and maintain us in it. We hope alſo, that all Kings, Republicks, and States will admit of this publick Declaration proceeding from our part, as true and founded on Juſtice, and that when they conſider how we have been compell'd to it, they will reſolve to aſſiſt us in the repelling or diverting ſo pernicious a Deſign, and lend their helping Hand to us and our good Subjects, in this our Enterprize, which is altogether as lawful as it is forc'd by Neceſſity. And by this Manifeſto we likewiſe enjoyn all the Inhabitants of the *United Provinces*, that by way of Repriſal they prepare for their Defence, againſt the Violence and Outrages which threaten them more and more, without ſuffering themſelves to be abus'd any longer by this pretext of a feign'd Friendſhip, or ſubmitting to be treated by the ſaid Government at Diſcretion; but that rather relying upon God, and the Juſtice of our and their good Cauſe, they wait for the Iſſue of it from the Hand of the Almighty Being, who, to that end, will expect our Diligence in the Defence of it, which we have now undertaken.

Done and Concluded in the Aſſembly of the High and Mighty Lords the States General, at the *Hague*, the 2d of *Auguſt*, 1652.

Sign'd,
JOHN van REEDE,
De RENSWOUDE, &c.

And underneath by Order of the above,
Sign'd,
N. RUYSH.

And ſeal'd with the Seal of the ſaid Lords the States, in red Wax.

Placaert

Placaert of the States General of the United Provinces, forbidding all Commerce with England. *Done at the* Hague, Dec. 5, 1652.

THE States General of the United Provinces of the *Netherlands*, to all that ſhall ſee or hear theſe Preſents, Greeting.

Be it known, That whereas for ſome time paſt, many and ſundry of our good Inhabitants have not only been diſturb'd in their Commerce and Navigation, under various Pretexts, by the unjuſt and violent Proceedings of the preſent Government of *England*, but alſo by Order of the ſaid Government, ſeveral of their Ships and Merchandize, as alſo ſeveral Men of War belonging to the Eſtabliſhment of this Country, have been in an hoſtile manner attack'd at Sea, and ſome of them ſunk to the bottom, and others carry'd into the Ports of *England* aforeſaid; and whereas ſome putting into their Harbours without the leaſt Suſpicion, have been detain'd therein without any Cauſe, and taken from the Captains that we had put on board them; whereby this State and the good Inhabitants thereof have ſuffer'd exceſſive and intolerable Damage. Being oblig'd therefore by reaſon of theſe Hoſtilities, with God's Help, to repair and cauſe the ſaid Damages to be repair'd, to prevent others for the future, and as far as poſſible to hinder the Ruin of the Commerce and Navigation of this Country; and for this end to deprive thoſe of the ſaid Government, as far as is in our Power, of the Conveniencys and Neceſſarys by which they might continue to damage the State of this Country and the good Inhabitants thereof. We have thought it fit and neceſſary to order all thoſe who are under our Obedience, and moſt expreſly forbid them, as alſo to give notice to all other Nations which are in Alliance, Amity and Neutrality with this State, as we do hereby order, forbid and give Notice reſpectively, by theſe Preſents.

I. That

I. That from henceforward none of the Inhabitants of theſe Countrys offer to carry or tranſport out of theſe Countrys, or out of any other Countrys, Kingdoms, Places or Towns, directly or indirectly, any Merchandize or Commodity of any ſort, quality or nature ſoever, none excepted, into any Harbours, Iſlands, Towns and Places of *England*, *Scotland* or *Ireland*, or others in the Dominion of the preſent Government of *England*; nor to have any Correſpondence with the Inhabitants of the ſaid Kingdoms or Dependencys, by Letters or otherwiſe, tending to the Diſadvantage of this State. Neither ſhall any other Perſon, tho a Foreigner and not an Inhabitant of theſe Countrys, undertake to do any thing of what is ſaid as above, on pain of being puniſh'd without any Connivance, as Enemies of this State; and moreover on pain of forfeiting ſuch Ships and Merchandize as ſhall appear to be bound to *England* or other Places as above, or the Value thereof, in caſe that they are already withdrawn and cannot be laid hold of.

II. And whereas according to the Obligation incumbent on all Lawful Sovereigns to protect and defend their good Inhabitants and Subjects, by all manner of means from Violence and Oppreſſion, we are not able, and according to the Common-Law and Practice of all Nations, are not oblig'd to permit thoſe of the ſaid Government or their Subjects ſo to be furniſhed by any Perſon whatſoever with Neceſſarys, and Things by which they may hurt us or our good Subjects, we give notice by theſe Preſents to all our Allies, Friends, and the Neutral Powers, and to all People and Nations in general, and we earneſtly intreat them not to undertake, during the preſent Differences betwixt this State and thoſe of the ſaid Government of *England*, to carry or tranſport from the ſaid Countrys, Kingdoms, Places or Towns, directly or indirectly, into any Harbours, Towns, or Places of *England*, *Scotland*, or *Ireland*, or others which are in the Dominion of the ſaid Government, any Warlike Stores, or other things ſerving to the Equipment of Ships of what name, ſort, quality, condition or nature ſoever, without Exception: it being our Intention to deem as lawful Prize ſuch Men of War, and Neceſſaries for the Equipment of Ships, which ſhall appear to be laden for thoſe Ports, contrary to our Declaration and Placaert.

III. And

III. And the more effectually to hinder the ſaid Tranſportation, and particularly to provide againſt the Exportation of any Ammunition or Proviſions out of theſe Provinces, under any falſe Pretext, no Perſon ſhall hereafter be allow'd to put on board or embark any ſuch Ammunition or Proviſion in theſe Countrys, to be tranſported to any Countrys, Towns or Places of the ſaid Allies, Friends or Powers in Neutrality with this State, without the ſpecial Licence of the Council of the Admiralty in whoſe Diſtrict ſuch Ships ſhall be laden or Goods embark'd: And beſides paying the Cuſtoms of the Country, they ſhall give ſufficient Security for twice the value of the Goods to be tranſported, that they ſhall not be carry'd to and unladen in any other Kingdoms, Harbours, Towns, or Places, beſides thoſe of Friends aforeſaid, and in no manner, directly or indirectly, to any part of *England*, *Scotland*, *Ireland*, or any other places in the Dominion of the preſent Government of *England*; and that within ſuch Term as ſhall be expreſs'd in the Paſſport to be granted for that purpoſe, and as ſhall be judg'd ſufficient, according to the Diſtance of the Places, it ſhall be prov'd and fully juſtify'd by the Certificate to be produc'd, that the ſaid Ammunition and Proviſion were carry'd to and entirely put a-ſhore at the Places for which 'twas declar'd that they are conſign'd; and that on failure thereof, and after the Expiration of the Term expreſs'd, the Security ſhall be executed for double the value, as aforeſaid, of the ſaid Proviſion and Ammunition tranſported, at the Rate by which they were valued and apprais'd at the time of giving the Security.

IV. Moreover we enjoyn all our Inhabitants and Subjects, and advertiſe and exhort all our Allies, Friends, and Neutral Powers, and in general all People and Nations that are diſpos'd to travel to *France*, *Spain*, or any other Kingdoms, Countrys, Towns or Places which are in Neighbourhood and Alliance with this State, ſituate to the Eaſt, Weſt or North, or that have a mind to come from thoſe parts to theſe Countrys, to keep out in the main Sea; foraſmuch as we intend, and declare by theſe Preſents, that all Ships which ſhall be found on the Coaſts of *England*, *Scotland* and *Ireland*, or other Countrys, Iſlands, and Places of the ſaid Dominion of the ſaid preſent Government of *England*, and eſpecially in the Bays and Gulphs along the ſaid Coaſts, and which ſhall be ſuſpected of having

ving any Deſign contrary to this our Ordonnance and Proclamation, and which ſhall be found laden, either in whole or in part, with any Ammunition or Proviſions, when they are taken and ſent hither by the Captains and other Officers, ſhall be condemn'd by the Councils of the Admiralty, in manner as is above expreſs'd in the ſecond Article. Provided nevertheleſs, that the ſaid Veſſels be not drove or forc'd in thither by any Storm or other imminent Danger, of which the ſaid Councils of the Admiralty will be able to judge, by the Circumſtances that may come to their Knowledge.

V. And for the better preventing and guarding againſt any Attempts contrary to this our Ordonnance and Proclamation, we do by theſe Preſents order and command all Maſters of Ships, and Merchants who ſhall be Inhabitants of this Country, or who ſhall carry their Ships and Merchandize out of theſe Countrys; moreover we advertiſe and exhort all other Perſons, of what Nation ſoever they be, or from what place ſoever they come, not to put on board or cauſe to be put on board their Ships any Merchandize or Commodity, to tranſport or cauſe them to be tranſported, without uniform Sea-Letters, proper Paſſports, Charter-partys, Bills of Lading, Letters of Envoyce, Advice and Convoy, or the like Documents, according to the Laws and Placaerts of the Places where the Merchandizes and Commodities ſhall be put on board, and which are requiſite for their Cargo: the rather becauſe we ſhall deem as confiſcate, and do from henceforwards declare as confiſcated, all Ships together with the Merchandize and Commodities on board, which are furniſh'd with more than one Letter of Envoyce, Bill of Lading or other Documents, together with all the Ships and Merchandize that are not furniſh'd with the Documents requir'd and ſpecify'd as above.

VI. To the intent alſo that all the Officers and Commanders of the Ships of War, as well of this State as of private Perſons fitted out by our Order, may be ſure that the Ships which they ſhall happen to meet at Sea, are not bound to any of the ſaid Harbors, Towns and Places in *England*, *Scotland*, and *Ireland*, or others under the Dominion of the preſent Government of *England*, with any Ammunition or Ships Tackling, all Captains may go aboard Ships they meet at Sea, of which they have any Suſpicion, to demand their Sea-Letters, Paſſports, Charter-

partys,

partys, and Bills of Lading, to know from whence the ſaid Ship is bound, where and in what place ſhe took in her Cargo, in what it conſiſts, and where ſhe is to land it; which when they have ſeen, and found that the ſaid Ships are not bound with the ſaid Ammunition or Ships Tackling for any Harbours or Places in the Dominion of the preſent Government of *England*, they ſhall let them paſs freely and without moleſtation: but if the contrary appears from the ſaid Documents, or otherwiſe, they may ſafely carry the ſaid Ships with the Merchandize on board, and keep in their Cuſtody all the Documents they ſhall find in the ſaid Ship, and commit to Writing an Inventory in the beſt Form, of every thing the Maſter and the Ships Crew ſhall declare, as well with regard to the Deſign of their Voyage, as with regard to the Circumſtances of the Ship and Cargo; and cauſe the ſaid Inventory to be ſign'd by the ſaid Maſter and the other Officers of the Ship, in order to ſend the ſaid Ship and Cargo, together with the ſaid Acts or Documents, to the Council of the Admiralty at the place from whence the Seizer of the ſaid Prize put to Sea.

VII. Moreover 'tis our Intention that the Penalties above enjoyn'd ſhall have their Effect, and be put in execution, againſt our Subjects who are Offenders, whether Merchants, Maſters of Ships, or what other Perſons ſoever, with Confiſcation of the Ships and Merchandize on board or of part thereof, in manner as above mention'd; or if they cannot be taken, by a pecuniary Fine equivalent to their Value, each for his own Particular, in caſe that at their Arrival in this Country or elſewhere, as occaſion ſhall offer, they can diſcover and prove that they have in any point contraven'd this our Ordonnance and Proclamation, in the ſame manner as if they had been actually taken and carry'd home by the ſaid Men of War, or as if they had been apprehended and ſeiz'd here in the Country, by the other Officers of the Provinces.

VIII. And to the end that from the Execution of this our Ordonnance and Proclamation, no Cauſe of Complaint may ariſe to any Kings, Republicks, Princes, Potentates or Towns in Alliance with this State, we injoyn and expreſsly command by theſe Preſents, all Captains and other Naval Officers appointed as well over the Men of War of this State, as over thoſe fitted out by private Men and by our Order, to regulate themſelves punctually according to the

Alliances

Alliances and Treatys by us already made, or to be made concerning the Premiſes, with other Kings, Republicks, Princes, Potentates and Towns; and for theſe Cauſes we command the Councils of the Admiralty to give particular Advice and Inſtructions upon that Head, as it is meet, to all the Men of War ſailing from their reſpective Diſtricts.

IX. And the Contraventions to this our Ordonnance ſhall be judg'd by the Councils of the Admiralty, in whoſe Diſtrict they are diſcover'd, where or from whence the Captains that took the Prize put to Sea.

X. But if the ſaid Contraveners were not taken in the Fact, and ſhou'd happen to be accus'd afterwards, the Cogniſance thereof ſhall appertain to the Council of the Admiralty, or the ordinary Judges, before whom they were firſt cited. And to the end that all the Officers, together with all others that have the Proſperity of this State at Heart, and who are Enemys to ſuch Contraventions, may be the more diligent in taking care that this our Ordonnance be punctually obſerv'd by one and all, and that the Contraveners may be puniſh'd according to the Tenor of theſe Preſents, for an Example to others, all the Moneys ariſing as well from the Confiſcations as otherwiſe, by virtue of this our Ordonnance, ſhall be apply'd as it is regulated by the Placaerts of the reſpective Provinces of the *Netherlands*, with regard to Fines and Forfeitures, *viz.* one third to the Profit of him who took and carry'd off the Prize, whether he be under the Oath and in the Service of this Country or not, another third to the Benefit of the Officer who takes the Execution, and the other third to the Profit of the Republick.

XI. But with regard to the Ships and Merchandize, which, by reaſon of the Contravention to this our Ordonnance and Placaert, have been taken at Sea, and carry'd off by any Men of War of this State, or by any Privateers, and afterwards declar'd good Prize, the ſame ſhall be divided according to the Inſtructions, Placaerts, and Ordonnances, that have been or ſhall be made.

XII. To the intent alſo that all the Ships and Merchandize, which by reaſon of any Contravention to this our Ordonnance and Proclamation have been taken, ſeiz'd, and brought into this Country, may, as it is fitting, be deliver'd to the ſaid Councils, we expreſly injoyn by theſe Preſents, that the Perſons in poſſeſſion of them take care to regulate themſelves ſtrictly, and cauſe that every one to

whom it appertains do regulate themſelves conformably to our Placaerts iſſu'd the firſt of *December* 1640. againſt thoſe who plunder and carry away ſuch Veſſels without any Cauſe; and we declare alſo that the Penalties injoyn'd by the ſaid Placaerts ſhall be ſincerely executed upon all thoſe who are guilty of any Contravention to the ſaid Prohibitions.

XIII. And to the end that, on the one hand, the Damage which is to be incurr'd by the Contraveners to this our Ordonnance, by the Forfeiture of the ſaid Ships and Merchandize, may not by means of Inſurers turn to the Detriment of any of the Inhabitants of theſe Provinces; and that, on the other hand, the *Engliſh* Navigation and Commerce may be obſtructed as much as poſſible, we do by theſe Preſents expreſsly forbid any of the ſaid Inhabitants, to undertake to inſure, directly or indirectly, by himſelf, or by others of the Country, in any manner whatſoever, any Merchandize or Ships that ſhall ſail, or be freighted, for any Harbours, Towns or Places in *England*, *Scotland* and *Ireland*, or elſewhere in the Dominion of the ſaid Government of *England*, nor even ſuch Goods or Ships as ſhall come from thence; on pain not only of vacating the ſaid Inſurances, and rendering them of no manner of Effect, but that moreover ſuch Inſurer or Inſurers ſhall actually be ſubject every Man to a Fine of 1000 Livres, to be levy'd and apply'd as above. And the Officers who upon this occaſion fail in the Diſcharge of their Office ſhall be puniſh'd at Diſcretion, even with Loſs of their Employments, or otherwiſe, according as the Caſe ſhall require.

And to the end that no body hereafter may pretend Cauſe of Ignorance, we command and intreat the Lords the States, the Counſellor Deputies, and the States Deputies of the reſpective Provinces of *Guelderland*, the County of *Zutphen*, *Holland* and *Weſtfrieſeland*, *Zealand*, *Utrecht* and *Frieſeland*, *Overyſſel*, together with the Town of *Groningen*, and the *Ommelands*, and all the other Officers of Juſtice, that they immediately cauſe this our Ordonnance to be fix'd up in all the proper Places, and where ſuch Orders are uſually publiſh'd. Moreover we command and injoin all the Councils of the Admiralty, Advocates Fiſcal, together with all Admirals, Vice-Admirals, Captains, Officers and Directors, as alſo all Commiſſarys and Searchers, as well in the Sea-ports as elſewhere, to obſerve, and cauſe this Ordonnance to be obſerv'd, proceeding and ordering Proceſs againſt the Delinquents, without,

without Connivance, Favour, Diſſimulation, or Toleration, for ſo we judge it neceſſary for the Service of theſe Countries. Done and concluded in the Aſſembly of the States General at the *Hague*, *December* 5, 1652. ſign'd *John de Rede*, Lord *de Renſwoude*, and underneath was written by their Order, Sign'd, *N. Ruyſch*. And on the Blank the Seal of the ſaid Lords the States in Red Wax.

Treaty of Peace and Union between Oliver Cromwell, *as Protector of* England, *and the United Provinces of the* Netherlands. *At* Weſtminſter, April 5, 1654.

I *Mprimis*, It is agreed and concluded, that from this day forwards, there be a true, firm and inviolable Peace, a ſincere, intimate and cloſe Friendſhip, Affinity, Confederacy and Union, betwixt the Republick of *England* and the States General of the United Provinces of the *Netherlands*, and the Lands, Countrys, Citys and Towns, under the Dominion of each, without Diſtinction of Places, together with their People and Inhabitants of whatſoever degree.

II. That hereafter all Enmity, Hoſtility, Diſcord and Contention, betwixt the ſaid Republicks and their People and Subjects ſhall ceaſe, and both Parties ſhall henceforwards abſtain from the committing of all manner of Miſchief, Plunder and Injurys, by Land, by Sea, and on the Freſh Waters, in all their Lands, Countrys, Dominions, Places and Governments whatſoever.

III. That all Offences, Injuries, Loſſes and Damages, which either Party has ſuffer'd from the other ſince the $\frac{18}{28}$th of *May*, Anno 1652. ſhall be obliterated and bury'd in Oblivion, in ſuch manner that neither of the ſaid Partys ſhall give the other Trouble for any ſuch Loſs, Offence, Injury or Damage; but all and every kind of it ſhall to this day be compleatly aboliſh'd, and all Suits and Actions commenc'd upon that account ſhall be null and void: Excepting thoſe Depredations which ſhall be committed in

the *Britiſh* Seas after the Space of twelve Days, and within the *Britiſh* Channel and Cape St. *Vincent* after the Space of ſix Weeks; and from thence to the Mediterranean, and even to the Equator, after the Space of ten Weeks; and beyond the Equator after the Space of eight Months, to be computed from the Proclamation of the Peace, or immediately after ſufficient Notice given of the Peace in the ſaid Places; and all Depredations and Damages, which ſhall be committed by either Party after the Terms abovemention'd, or ſuch Notice as aforeſaid, ſhall be caſt up, and whatſoever is taken away ſhall be reſtor'd, and the Damage thence accruing ſhall be made good.

IV. That all Priſoners taken in War, of whatſoever Degree or Country, ſhall be diſcharg'd on both ſides freely, and without Reward.

V. That both Republicks remain Friends and Allies, united and engag'd together by Friendſhip and all manner of Ties, to defend the Liberties and Immunities of the Subjects of either Republick, againſt all Perſons whatſoever, who ſhall attempt to diſturb the Peace of either State by Land or Sea, or ſuch as living within the Dominions of either, ſhall be declar'd Enemys of the Publick Liberty.

VI. That neither of the ſaid Republicks ſhall act, tranſact, endeavour, treat, or make any Attempt againſt the other, or the People thereof, in any Place whatſoever, by Land or by Sea, in the Harbours, Diſtricts, Bays or Rivers, upon any occaſion whatſoever; nor ſhall either of them, or the People thereof, give, lend or adminiſter any Aid, Advice or Favour, nor ſhall conſent to the tranſacting, treating or attempting of any thing by any Perſon whatſoever, to the Loſs or Prejudice of either, or the Subjects of either, but both ſhall expreſsly and effectually contradict, oppoſe and really hinder all and every one, living or dwelling in either of the Republicks, or within the Dominions of either, who ſhall tranſact, treat or attempt any thing againſt either Republick.

VII. That neither Republick, nor any of the People of either, whether the Inhabitants or others reſiding in their Dominions, ſhall favour or aſſiſt the Enemys or Rebels of either Republick with any manner of Subſidy, Counſel, or good Will, but ſhall expreſsly contradict, and effectually hinder any of the People inhabiting or reſiding in either Republick, from ſupplying or furniſhing any ſuch Enemys

Enemys or Rebels as aforeſaid, with any Aid or Succours either of Men, Ships, Arms, Military Stores, or other prohibited Goods, nor with Money, or Proviſions, or Victuals, either by Land or Sea. And all Ships, Arms, Stores of War, or other Prohibited Goods, alſo all Money or Proviſions, to whatſoever Perſon or Perſons appertaining, which ſhall be ſupply'd or furniſh'd, contrary to the Senſe and Meaning of this Article, ſhall be ſeiz'd and confiſcated to the ſaid Republick. And the Perſons likewiſe who ſhall knowingly and wilfully do, commit, attempt, or adviſe, any thing contrary to the Senſe of this Article, ſhall be deem'd Enemys to both Republicks, and ſuffer the Pains of High-Treaſon in that Republick where the Fact was committed. And as to the particular Merchandize which ſhall be reputed as Prohibited or Contraband, the Specification thereof ſhall be ſettled by Commiſſioners at a convenient Time, with a Proviſo that the ſame be not to the prejudice of any thing contain'd in this Article.

VIII. That both Republicks ſhall ſincerely and faithfully, as need ſhall require, mutually aſſiſt one another againſt the Enemys and Rebels of either, by Land and Sea, with Men and Ships, in ſuch Proportion and ſuch Manner, and on ſuch Conditions as ſhall be hereafter agreed upon, according as the Neceſſity and Affairs of either ſhall demand; but at the Expence and Coſt of the Party requiring ſuch Succour.

IX. That neither of the ſaid Republicks, or the People thereof, ſhall receive either the Perſons or Goods of ſuch as are already declared, or may hereafter be declared, the Enemy or Enemys, Rebel or Rebels, Fugitive or Fugitives of either Republick, in its Dominions, Lands, Countrys, Ports, Bays or Diſtricts; nor ſhall grant, afford, or adminiſter, any Aid, Counſel, Lodging, Soldiers, Ships, Money, Arms, Military Stores or Proviſion, to them or any of them in the Places aforeſaid, or any other place whatſoever, even out of their Dominions, Countrys, Territorys, Lands, Ports, Bays or Diſtricts; nor ſhall either State permit ſuch Enemys, Rebels or Fugitives, to be receiv'd, by any Perſon or Perſons whatſoever, into their Dominions, Countrys, Territorys, Lands, Harbours, Bays and Diſtricts, nor ſuffer any Aid, Advice, Lodging, Favour, Arms, Proviſion, Soldiers, Ships, Money, or Proviſion to be given, adminiſter'd, or granted to ſuch

Enemys, Rebels, or Fugitives, but ſhall expreſsly and effectually contradict, oppoſe and really hinder it.

X. That if either of the ſaid Republicks ſhall ſignify and declare to the other, by publick and authentick Memorials, that any Enemy or Enemys, Rebel or Rebels, Fugitive or Fugitives of either State, or any thing of theirs, has been receiv'd or admitted into the Dominions, Territorys, Countrys, Harbours, or Diſtricts of the other State, or is there reſiding, lurking, or ſeeking Shelter, then that Republick which ſhall receive ſuch Memorials, or to which ſuch Signification or Declaration ſhall be made, ſhall be oblig'd within the ſpace of twenty eight Days, to be computed ſucceſſively from the Day of ſuch Notice given, to injoyn and command the ſaid Enemy or Enemys, Rebel or Rebels, Fugitive or Fugitives, to depart their Dominions, Countrys, Territorys, Lands, and Diſtricts, with every thing to them belonging. And if any ſuch Enemy, Rebel or Fugitive, does not depart accordingly, within a fortnight after the Date of ſuch Injunction and Mandate, he ſhall be puniſh'd with Death, and the Loſs of Goods and Chattels.

XI. That no Rebel or publick Enemy of the Republick of *England* ſhall be receiv'd into any Caſtles, Towns, Villages, Ports, Diſtricts, or other Places, either privileg'd or not privileg'd, which any Perſon, of whatſoever State or Dignity he be, doth or ſhall hold and poſſeſs, by any Right or Title whatſoever, within the Dominions and Territorys of the *United Provinces*; nor ſhall he be permitted, or tolerated to be entertain'd; or to reſide in the ſame by any Perſon of what Rank and Dignity ſoever. Nor ſhall the Lords the States General of the *United Provinces* permit or tolerate the giving or affording any Aid, Advice, or Favour, by any Perſon of what Rank or Dignity ſoever, to ſuch Rebel or publick Enemy, in the Places aforeſaid, by Ships, Soldiers, Money, Proviſions, or by any other Means whatſoever; but they ſhall publickly and expreſsly forbid it, and effectually hinder it. And if any Perſon or Perſons, of whatſoever Rank or Dignity they be, abiding or dwelling within the Dominions of the *United Provinces*, or the States thereof, ſhall do any thing contrary to this Convention, that then all and ſingular ſuch Perſon or Perſons ſo doing, ſhall, for the Term of their Lives, be turn'd out, and depriv'd of all ſuch Caſtles, Towns, Villages, Manours, and

and other Places, which they or any of them have or hold at ſuch time, or which they lay claim to by any Right or Title whatſoever. In like manner, no Rebel, or publick Enemy of the States of the *United Provinces*, nor any thing to him appertaining, ſhall be receiv'd, or be ſuffer'd to be receiv'd, or to ſtay, by any Perſon or Perſons whatſoever, in the Caſtles, Towns, Harbours, and other Places, which any Perſon or Perſons, of whatſoever Rank or Dignity he be, doth or ſhall have and hold by any Right or Title whatſoever, within the Republick of *England*, or the Dominions thereof. Nor ſhall the Republick of *England* permit or ſuffer any Aid, Advice or Favour to be given, or afforded, to any ſuch Rebel or publick Enemy in the Places aforeſaid, in Ships, Soldiers, Money, Proviſions, or in any other manner, by any Perſon or Perſons of whatſoever Degree, but ſhall publickly and expreſsly prohibit and effectually hinder it. And if any of the Subjects of the Republick of *England*, or within the Dominions thereof, ſhall do or attempt any thing againſt this Convention, all and every Perſon or Perſons ſo tranſgreſſing, ſhall, in like manner, for the Term of their Lives, be ejected and depriv'd of all their Caſtles, Towns, Villages, Manours, and other Places, which they or any of them have or hold at that time, or which they ſhall lay claim to by any Right or Title whatſoever.

XII. That the Republick of *England*, the People of *England*, and all the Inhabitants of that Republick; alſo the ſaid *United Provinces*, and their People and Inhabitants, of whatſoever Rank and Condition they be, ſhall be oblig'd to treat each other courteouſly and amicably in all things: that both Partys may paſs with Freedom and Security, by Land or by Sea, to each other's Countrys, Towns, Villages, wall'd or unwall'd, fortify'd or unfortify'd, Ports, and all the Territorys whatſoever, of both Partys in *Europe*, and there abide and dwell as long as they pleaſe, and buy all neceſſary Proviſions for their Uſe, without any Lett or Hindrance, and alſo traffick and trade in whatever kind of Merchandize they think fit, and the ſame to carry and export when and where they liſt; ſo long as they pay the eſtabliſh'd Cuſtoms, and conform alſo to all the Laws and Statutes of either Republick. Provided nevertheleſs, that the People and Inhabitants of both Partys, exerciſing their Commerce, be not oblig'd to pay hereafter more Cuſtom, Tax, Toll

or other Tribute, in the Countrys and Dominions of either, than according to the Proportion which is paid by other Foreigners trafficking in the ſame Places.

XIII. That the Ships and Veſſels of the ſaid *United Provinces*, as well thoſe of War as others, which meet any of the Men of War of the Republick of *England* in the *Britiſh* Seas, ſhall ſtrike the Flag to them in the ſame manner as was ever obſerv'd at any time heretofore, under any former Government.

XIV. For the greater Freedom of Commerce and Navigation, it is agreed and concluded, that neither of the ſaid Republicks ſhall receive or ſuffer any of the People and Inhabitants of either, to receive in their Harbours, Citys, and Towns, any Pyrates or Robbers, nor give them any Shelter, Aſſiſtance or Support; but they ſhall do their utmoſt, that the ſaid Pyrates and Robbers, or their Pyratical Accomplices, Partners, and Aſſiſtants, may be purſued, apprehended, and puniſh'd as they deſerve, for a Terror to others. And all the Ships, Goods, or Merchandizes, being by them pyratically taken, and brought into the Ports of either Republick, as much thereof as can be found, tho they have by Sale been convey'd to others, ſhall be reſtored to the lawful Owners, or Satisfaction ſhall be given either to the Owners thereof, or to thoſe who reclaim the ſame by an Authority of Procuration. Provided that the Owner's Right be firſt legally prov'd in the Court of Admiralty.

XV. If either of the Republicks of *England* or the *United Netherlands* ſhall contract or conclude any League, Friendſhip, Confederacy or ſtrict Union with any other Kings, Republicks, Princes or States whatſoever, it ſhall comprehend the other and its Dominions, in all and every one of them, if it deſires to be therein included, and ſhall certify the other of all ſuch Treatys of Friendſhip and Confederacy.

XVI. That if it ſhall happen, that as long as this League, Friendſhip, and Alliance ſubſiſteth, any thing be done or attempted by any of the People or Inhabitants of either Republick by Land, by Sea, or on the Rivers, contrary to the ſaid Treaty, or any Member of it, this Friendſhip, League, and Alliance between theſe Nations, ſhall not therefore be interrupted or infring'd, but ſhall nevertheleſs remain intire and in full Force. Only the very Perſons, who ſhall violate the ſaid League, ſhall be puniſh'd,

puniſh'd, and none other; and Juſtice ſhall be render'd, and Satisfaction given to all thoſe whom it concerns, by all thoſe who do any thing contrary to the ſaid Treaty by Land, Sea, or other Waters, in any Part of *Europe* or elſewhere on this ſide of the Straits of *Gibraltar*, or in *America*, or along the Coaſt of *Africa*, or in any Lands, Iſlands, Seas, Friths, Bays, Rivers, or in any Places on this ſide of the Cape of *Good Hope*, within the Term of a Year after Juſtice ſhall be demanded: But in all other Places as aforeſaid, beyond the ſaid Cape, within eighteen Months after Juſtice ſhall be demanded, as aforeſaid. And if the Breakers of the League do not appear, nor ſubmit themſelves to Judgment, nor give Satisfaction within this or that ſpace of time hereby ſettled, according to the Diſtance of the Place, they ſhall be deem'd Enemys to both Partys, and all their Goods, Effects, and Revenues whatſoever ſhall be confiſcated and ſold, to make full and juſt Satisfaction for thoſe Injurys they have done to others; and moreover their Perſons, when they are in the Power of either of the Partys, ſhall be liable to thoſe Puniſhments which their Crimes have deſerv'd.

XVII. That the People of the Republick of *England*, and all under its Juriſdiction, ſhall freely and ſecurely travel and trade in and thro' the Provinces of the *United Netherlands*, and its ſeveral Dominions in *Europe*, by Land or Water, and thro' any of the Towns, Gariſons and Fortifications which are now, or ſhall be hereafter, in any of the Places of the *United Provinces* of the *Netherlands*, or elſewhere in their *European* Dominions, and go where they will, together with their Agents, Factors or Servants arm'd or unarm'd (but of arm'd not more than 40 together) as well without their Goods and Merchandize as with them. The People and Inhabitants of the *United Provinces* of the *Netherlands* ſhall alſo enjoy the ſame Liberty in all the Dominions of the Republick of *England* in *Europe*, ſo long as they and each of them obey and conform to the Laws and Statutes of each Republick reſpectively in ſuch Commerce and Merchandize.

XVIII. If the Merchant Ships of the Subjects of either be drove into a Port of either one or the other Dominion, by bad Weather, Pyrates, or any other Neceſſity, they ſhall depart thence ſecurely and freely with their Ships and Merchandize, without Payment of any Toll or other Duties:

Duties: Provided nevertheleſs that they don't break Bulk, or ſell or offer any part of the Lading to Sale; nor be ſubjected to any Trouble or Search whatſoever, nor take any Goods or Perſons on board, nor act any thing againſt the Laws, Statutes or Cuſtoms of the Place where, as is aforeſaid, they enter'd into the Port.

XIX. That Merchants, Maſters of Ships, Governors and Mariners of either Republick, or their Ships, Goods or Merchandizes, ſhall not be apprehended or detain'd under Arreſt in the Lands, Harbours, Stations of Ships, or Rivers of the other, by any general or ſpecial Edict, either for War, or any other Uſe, without urgent Neceſſity and due Satisfaction given. Provided nevertheleſs, that nothing herein contain'd be derogatory to ſuch Detainers and Arreſts as are made regularly, and orderly, according to the Prerogative and Laws of either Republick.

XX. That the Merchants on both ſides, their Factors and Servants, and alſo the Maſters and other Mariners of Ships, ſhall be allow'd to carry and uſe all manner of Arms, offenſive and defenſive, for defending the Egreſs and Regreſs of their Ships and Effects, thro' the Seas and other Waters, as alſo in the Harbours of either State and on Shore: But when they come to their Inns and Lodgings, they ſhall there lay down and relinquiſh their Arms till they go on Board again, and prepare to return with the Ships.

XXI. That the Guard-ſhips, or Men of War of either Republick, which meet or overtake any Merchants Ship or Ships at Sea, belonging to the People or Inhabitants of either Republick, or to any of the Allies included in this Treaty, which ſhall ſteer the ſame Courſe or paſs the ſame way, ſhall be oblig'd to guard and defend them, as long as they keep the ſame Courſe, againſt all Aggreſſors.

XXII. That if any Ship or Ships belonging to the People or Inhabitants of either Republick, or any neutral Power, be taken in the Harbours of either by any third Power, not belonging to the People or Inhabitants of either Republick, they in whoſe Port, or Offings, or Juriſdiction the Ships aforeſaid ſhall be taken, ſhall be oblig'd in like manner with the other Party to do their utmoſt for purſuing and bringing back the ſaid Ship or Ships, and reſtoring them to their Owners. But all this ſhall be done at the Expence of the Owners, or thoſe whom it concerns.

XXIII. That

XXIII. That the Searchers and other Officers of that ſort on both ſides, ſhall conduct themſelves according to the Rule of the Laws of either Republick, and ſhall not impoſe or demand more than they are allow'd by the Authority to them committed, and the Commands they receive.

XXIV. That if any Injury be done by either Republick, or the People or Inhabitants thereof, to the People or Inhabitants of the other, whether contrary to the Articles of this Treaty, or contrary to Common Law, no Letters of Repriſal, Mark, or Counter-mark, ſhall be granted by either, till Juſtice is firſt demanded according to the common Laws. But if Juſtice be there deny'd or delay'd, then the chief Magiſtrate of the ſaid Republick, or his Delegates, whoſe People and Inhabitants are injur'd, ſhall publickly demand Juſtice from that other Republick, in which Juſtice as aforeſaid is deny'd or delay'd, or from ſuch Power which ſhall be conſtituted to hear ſuch Demands, to the end that all ſuch Controverſies may be compos'd either amicably, or by the ordinary Courſe of Law. But if any Delays intervene, and Juſtice be not done, nor Satisfaction given within three Months after it be demanded, then Letters of Repriſal, Mark, or Counter-mark, may be granted.

XXV. That they who obtain Patents, or ſpecial Commiſſions, from either Republick, ſhall, before they receive ſuch Commiſſions, put in ſufficient Security before the Judge who grants them, by Men who are able to pay, and are not Part-Owners in the ſaid Ship, that they will not do any Injury or Damage to the People or Inhabitants of either.

XXVI. 'Tis agreed and concluded, that the Subjects of both Partys ſhall always have free Liberty of Acceſs to the Harbours of both; and it ſhall be free and lawful for them therein to reſide, and thence to return, not only with Merchant Ships, and Ships of Burthen, but even with Men of War, whether they belong to the Republick, or to ſuch as have obtain'd ſpecial Commiſſions; whether they are drove in by a Storm, or Danger at Sea; whether it be to repair their Veſſels, or to buy Proviſions: Provided that the Number of Men of War does not exceed eight, if they enter of their own accord; and that they don't ſtay longer in and about

about the Ports than ſhall be requiſite for the Repair of the Ships, the buying of Proviſions, and other Neceſſities. And if upon occaſion a greater number of Men of War offers to go into the ſaid Harbours, they ſhall not be allow'd to do it, without Leave firſt obtain'd from thoſe to whom the ſaid Ports belong, unleſs they are drove in by Storm or Violence, or forc'd in by neceſſity for avoiding the Dangers of the Sea. Which, whenever it ſo happens, they ſhall immediately certify the Governor or chief Magiſtrate of the Place, of the reaſon of their coming; but ſhall ſtay there no longer than they ſhall be tolerated by the Governor, or chief Magiſtrate, and ſhall not, while they are there, commit any Hoſtility, or any thing to their Prejudice.

XXVII. 'Tis agreed as above, that the Lords the States General of the *United Provinces*, ſhall take care that Juſtice be done upon thoſe who were Partakers or Accomplices in the Maſſacre of the *Engliſh* at *Amboyna*, as the Republick of *England* is pleas'd to term that Fact, provided any of them be living.

XXVIII. Whereas the Ships and Effects of certain *Engliſhmen* have been ſeiz'd and detain'd in the Dominions of the King of *Denmark*, ſince the 18th day of *May* 1652. 'tis ſtipulated, agreed and concluded on both ſides, and the States General have oblig'd themſelves, and do oblige themſelves by theſe Preſents, that all and ſingular the Ships and Goods detain'd as aforeſaid, and hitherto remaining in Specie, together with the true and juſt Value of thoſe that have been ſold, embezzeled, or otherwiſe diſpos'd of, ſhall be reſtor'd within a fortnight after the Arrival of the Merchants and Mariners whom it concerns, or their Attorneys impower'd to receive them; and the Loſſes alſo which have accrued to the *Engliſh* aforeſaid, by the Detainer thereof, ſhall be made good, according to an Appraiſement to be made by *Edward Winſlow*, *James Ruſſell*, *John Becx* and *William Vander Cryſſen*, Arbitrators indifferently choſen, as well on the part of his Highneſs as of the ſaid States General (the Form or Inſtrument of whoſe Arbitration is already agreed on) to examine and determine the Demands of the Merchants, Maſters and Owners, to whom the ſaid Ships, Effects, and Loſſes appertain. Which ſaid Arbitrators ſhall meet in that call'd *Goldſmiths-Hall* here in *London*, on the 27th of *June* next, *O. S.* or ſooner if poſſible, and ſhall take

a ſolemn Oath on the ſame Day before the Judges of the High Court of Admiralty of *England*, that they will renounce all manner of Reſpect and Relation to either State, and the Profit of every private Perſon: and moreover, that the Arbitrators ſhall, after the firſt day of *Auguſt* next enſuing, unleſs they agree beforehand, be ſhut up in a Room ſeparate from all other Perſons, without Fire, Candle, Meat, Drink, or other Support, till they have agreed of the Matters aforeſaid to them refer'd. Which Sentence or Award by them given, ſhall bind and oblige both Parties. And the States General of the *United Provinces* firmly bind and oblige themſelves by theſe Preſents to perform the ſame, and to pay the Sum of Money which ſhall be awarded by the ſaid Arbitrators here at *London*, for the uſe of the ſaid Owners, to ſuch Perſon or Perſons as his Highneſs ſhall name within twenty five Days after the Award ſo given. And the States General within two Days after the mutual Exchange of the Inſtruments for ratifying the Articles of the Peace, ſhall pay the Sum of five thouſand Pounds *Engliſh* here at *London*, towards the Expences to be incurr'd by the Merchants, Maſters or Owners in their Voyage to *Denmark*, and the Sum of 20000 Rix-Dollars to ſuch Perſons as his Highneſs ſhall nominate, within ſix Days after thoſe Perſons ſhall arrive there, for the uſe of the Merchants, Maſters and Owners, for repairing and fitting out their Ships for their return. Which ſaid Sums ſhall be in part of Payment of the Sum which ſhall be contain'd in the Award of the ſaid Arbitrators. And that a Bond and Security ſhall be given (the Form of which Bond is already agreed on) by ſufficient Men able to anſwer it, and living here in *London*, obliging themſelves in the Sum of 140000 Pounds *Engliſh* Money (the Original of which Bond ſhall be deliver'd at the ſame time with the Inſtrument of the Ratification) to make Reſtitution as aforeſaid, and to pay as well the twenty thouſand Rix-Dollars, as the other Sums which ſhall be awarded as aforeſaid. And if all or any of the Conditions abovemention'd are not effectually and really perform'd, in the time and manner preſcrib'd, then the Penalty of the ſaid Bond ſhall be demanded, and the ſaid Sum of 140000 Pounds *Engliſh* Money ſhall be paid to the Perſon or Perſons to be nominated by his Highneſs, and the Loſſes of the Merchants, Mariners, and Owners, made good out of it.

XXIX. Where-

XXIX. Whereas certain Diſputes and Controverſies have happen'd betwixt the Republick of *England*, and the King of *Denmark*, on Account of detaining the Ships and Goods as mentioned in the foregoing Article; and the States General of the *United Provinces* have engag'd for the Reſtitution of the aforeſaid Ships and Goods, and conſented to give Security for ſuch Reſtitution, and Repair of Damages, as is ſpecify'd in the former Article: 'Tis ſtipulated, agreed, and concluded, that when theſe things are well and truly done and perform'd, all Controverſys, Diſputes, Injurys, and Hoſtilitys, between the ſaid Republick and the King of *Denmark*, on Account of the detaining of the ſame, ſhall ceaſe and be bury'd for ever in Oblivion; ſo as that the ſaid King, with his Kingdoms and Dominions, ſhall be included as a Friend in this Treaty and Confederacy, and reſtor'd to the ſame Friendſhip and Affinity with both Republicks, as he enjoy'd before the ſaid Detainer, and in the ſame manner as if it had never happen'd; and his Deputys and Ambaſſadors ſhall be admitted with the ſame Honour as the Deputys and Ambaſſadors of other States, who are united in Friendſhip.

XXX. 'Tis agreed, as above, that four Commiſſioners ſhall be nam'd on both ſides, at the time of exchanging the Ratifications, to meet here at *London*, on the 18th of *May* next, according to the *Engliſh* Style; who, at the ſame time, ſhall be inſtructed and authoriſed, as they are inſtructed and authoriſed by theſe Preſents, to examine and diſtinguiſh all thoſe Loſſes, and Injurys, in the Year 1611, and after to the 18th of *May* 1652, according to the *Engliſh* Style, as well in the *Eaſt Indies*, as in *Greenland*, *Muſcovy*, *Braſil*, or wherever elſe, either Party complains of having ſuffer'd them from the other. And the Particulars of all thoſe Injurys and Damages ſhall be exhibited to the ſaid Commiſſioners ſo nominated, before the aforeſaid 18th day of *May*, with this Reſtriction, that no new ones ſhall be admitted after that Day. And if the ſaid Commiſſioners don't agree about adjuſting the ſaid Differences, ſo particularly exhibited and expreſs'd in Writing, within the ſpace of three Months, to be computed from the ſaid 18th day of *May*; in ſuch Caſe the ſaid Differences ſhall be ſubmitted, as they are by theſe Preſents ſubmitted, to the Judgment and Arbitration of the Proteſtant *Swiſs* Cantons, who ſhall be requir'd, by the Inſtrument already agreed on, to aſſume that Arbitration

in ſuch Caſe, and to delegate Commiſſioners of like nature for the ſame purpoſe, ſo inſtructed that they ſhall give Judgment within the ſix Months next following the Expiration of thoſe three Months; and whatſoever ſuch Commiſſioners, or the major part, ſhall determine within the ſaid ſix Months, ſhall bind both Parties, and be well and truly perform'd.

XXXI. 'Tis agreed and concluded, that both Parties ſhall truly and firmly obſerve and execute the preſent Treaty, and all and every Thing and Things therein contain'd and comprehended; and ſhall effectually take care that the ſame be obſerv'd and perform'd by the People, Subjects, and Inhabitants of either.

XXXII. For the more ſecure performance of this Treaty of Peace and Confederacy, ſincerely, and *bona fide*, on the part of the States General of the *United Provinces*, and their Subjects; 'tis agreed and concluded, as the Lords the States General do by theſe Preſents agree, and firmly bind and oblige themſelves, that all and ſingular the Perſon and Perſons, whom either they, or the States of the Provinces, ſhall, at any time whatſoever, chuſe, conſtitute, or prefer to be Captain General, Governor, or firſt Preſident, or Stadtholder General of the Armies, or Militia by Land, or Admiral or Commander of the Fleets, Navy, or the Maritime Forces, ſhall be oblig'd and bound to confirm this Treaty, and all the Articles of it by Oath; and ſhall take a ſacred and ſolemn Oath, that they will, to the utmoſt of their Power, religiouſly obſerve and execute them all, as far as relates to them; and that they will take care that they be obſerv'd and put in Execution by others.

XXXIII. 'Tis ſtipulated, agreed, and concluded, that the preſent Treaty, and all and every Article therein contain'd and comprehended, ſhall be confirm'd, and ratify'd, by the ſaid Lord Protector, and the ſaid States General of the *United Provinces*, by Patents and Letters of both Partys, ſeal'd with the Great Seal in due and authentick Form, within a Fortnight next enſuing the Date hereof, or ſooner, if poſſible; and the Inſtruments ſhall be mutually exchang'd on both ſides, within the ſaid Term. And this ſame Peace and Confederacy, ſhall immediately after the Delivery and Exchange of the Inſtruments, be publiſh'd in the uſual Form and Place, and all Acts of Hoſtility ſhall from thenceforward ceaſe on both ſides.

Here

Here follows the Subſtance of the Commiſſion, on the part of his Serene Highneſs the Lord Protector.

OLIVER, Lord Protector of the Republick of *England*, *Scotland*, and *Ireland*, &c. To all and ſingular whom it concerns, and to whom theſe Letters ſhall come, Greeting: Know ye, That whereas the High and Mighty Lords the States General of the *United Provinces* have ſent to us their Plenipotentiarys and Legates, ſufficiently authorized and inſtructed, for entring into, and contracting a firm Peace, Union, and Confederacy with us; and We, out of a pious and chriſtian Senſe of this War, and of the Misfortunes that have been the Conſequences of it, not only to the Nations therein involv'd, which are bound by all the Ties of Religion and Humanity to ſuccour and favour one another, but alſo to the Common Cauſe of Chriſtendom, being deſirous ſtill to continue our diligent and ſincere Endeavours, as we have not hitherto omitted any thing on our part from the firſt Beginnings of the War, to the intent not only that it might be appeas'd and terminated, but alſo that a ſincere and perpetual Peace, true Friendſhip, and cloſe Affinity, might be introduc'd and eſtabliſh'd between us and the ſaid States; confiding entirely in the Probity, Fidelity, Prudence and Circumſpection of our Well-beloved *Henry Laurence*, Lord Preſident of our Council, *John Lambert*, Major General of the Armies of this Republick, *Philip* Viſcount *Liſle*, Sir *Gilbert Pickering* Bar. *Edward Montague*, and *Walter Strickland*, Eſquires; We have, by the Advice of our Council, made, conſtituted, and by theſe Preſents, do ordain them, or the greater part of them, when the reſt are abſent, or hinder'd from attending, our true and undoubted Commiſſioners, Proctors, and Deputys; giving and granting to them, or the major part of them, by the Tenour of theſe Preſents, full Power, Commiſſion and Authority, and general and ſpecial Command, to conclude, contract and eſtabliſh for us and our Succeſſors, with *Jerome van Beverwynk*, *William Nieupoort*, Counſellor and Treaſurer General of *North Holland*, and Penſionary of the Town of *Schiedam*, *Allard Peter Jongeſtal*, Counſellor in Ordinary of the Court of Juſtice for the Province of *Frieſland*, and Curator of the Academy of *Franeker* in the Aſſembly

Aſſembly of the Lords the States General of the *United Netherlands*, and Deputies in their Aſſembly on the part of the Provinces of *Holland* and *Frieſland*, Ambaſſadors Extraordinary and Plenipotentiarys on the part of the States General of the *United Netherlands*, a firm Peace, Affinity, Union, Friendſhip, Commerce and Intercourſe, betwixt us and the ſaid States; and to conclude, and finally determine all Cauſes, Controverſies and Quarrels, which are depending betwixt us and the ſaid States, in ſuch Manner and Form, and with ſuch Articles, Promiſes, Cautions, and Securitys, as they ſhall think requiſite for the firm Obſervation of the Articles agreed to. And whatſoever our ſaid Commiſſioners, with the ſaid Ambaſſadors of the Lords the States General, ſhall agree and conclude, we promiſe *bona fide*, and by theſe Preſents firmly bind ourſelves, and our Succeſſors, to obſerve, perform, and ratify every Article, as much as if we ourſelves were preſent. In witneſs whereof, we have ſign'd theſe our Letters Patent with our own Hand, and caus'd them to be ſeal'd with the Great Seal of *England*. Given at *Whitehall* the 14th day of *March*, 1654.

OLIVER, P.

The Commiſſion from the Lords the States General.

THE States General of the *United Provinces* of the *Netherlands*, to all who ſhall ſee theſe Preſents, Greeting. Whereas we are heartily deſirous and willing, to contract and convene with his Highneſs the Lord Protector of the Republick of *England*, *Scotland*, and *Ireland*, a ſtrict, ſolid, ſincere, and mutual Amity, Union and Alliance, for the Defence and Preſervation of the Liberty and Freedom of the two Nations, and of mutual Navigation and Commerce, together with the Common Intereſts, againſt all who ſhall attempt to diſturb either State by Land or Sea. We therefore deſiring the Advancement of this good Work, have thought neceſſary to ſend the Sieurs *Jerome de Beverningk*, *William de Nieupoort*, Counſellor and Receiver General of *North Holland*, Penſionary of the Town of *Schiedam*; *Allard Peter Jongeſtall*, Counſellor in Ordinary at the Court of *Frieſland*, and Curator of the Univerſity of *Franeker*, Deputys in our Aſſembly

on the part of *Holland* and *Frieſland*, as our Ambaſſadors Extraordinary to his ſaid Highneſs the Lord Protector of the ſaid Republick. And, knowing that for facilitating their Negotiations, in order to conduct them to an End and Concluſion, agreeable to the good Intentions of both Republicks, they will have need to be furniſh'd with a full Power, Authority, Commiſſion, and ſpecial Mandate; we, for theſe Cauſes, being deſirous to prevent and remove all manner of Diſpute and Contention, which may ariſe about the Sufficiency and Validity of their Credentials and Authority, do, by virtue of theſe Preſents, give to the ſaid Sieurs our Ambaſſadors Extraordinary, and to each of them in particular, if by Sickneſs, or otherwiſe, they ſhou'd be hinder'd all three from being preſent at the making of the Treaty of Union and Alliance, full Power to treat, ſtipulate, convene, agree and conclude with his ſaid Highneſs the Lord Protector of the ſaid Republick of *England*, *Scotland*, and *Ireland*, or with the Lords Commiſſioners that ſhall be deputed from him, the ſaid ſtrict Alliance, and mutual Union between the two Nations; and to make, or paſs, ſuch or ſuch Inſtruments, Contracts, and Promiſes, in due and proper Form, of every thing that ſhall be negotiated, and to do in general whatever we ſhou'd do, were we preſent, even tho there ſhou'd be need of a more ſpecial Command and Power than is contain'd in theſe Preſents; by which we promiſe ſincerely, and *bona fide*, to approve, and for ever to hold firm and ſtable every thing which ſhall by them in that Quality be hereby done, procur'd, promis'd, agreed and concluded; to obſerve, accompliſh, and inviolably maintain it, without ever contravening the ſame, directly or indirectly, in any manner whatſoever; but the whole to ratify, if need be, and to paſs Letters and Inſtruments accordingly, in the beſt Form that can be, to the Satisfaction of his ſaid Highneſs the Lord Protector. Done at the *Hague* in our Aſſembly under our Great Seal, together with the Flouriſh and Signature of our Regiſter, the 19th Day of *February*, 1654. *J. C. Mauregnault*, as by Order of the ſaid Lords the States General, in the Regiſter's Abſence,

J. SPRONSSEN.

In

In Witneſs and Teſtimony whereof, both we the Commiſſioners of his Highneſs the Lord Protector, and the Ambaſſadors Extraordinary of the Lords the States General of the *United Provinces*, by virtue of our reſpective Commiſſions, and full Powers, have ſign'd the preſent Treaty with our own Hands, and ſeal'd it with our Seals Manual. Done at *Weſtminſter* the 5th Day of *April*, 1654.

Henry Laurence, Preſident, (L. S.)
John Lambert, (L. S.)
Edward Montague, (L. S.)
Philip Liſle, (L. S.)
William Pickering, (L. S.)
Walter Strickland, (L. S.)
H. van Beverningk, (L. S.)
William Nieupoort, (L. S.)
Allard Peter Jongeſtal, (L. S.)

The Ratification of the Lord Protector of the Republick of England, Scotland, *and* Ireland, *&c.*

OLIVER, Lord Protector of the Republick of *England*, *Scotland*, and *Ireland*, &c. To all and ſingular to whom theſe Preſents ſhall come, or in any wiſe appertain, Greeting. Whereas for accommodating the Differences, and promoting a firm Peace betwixt us and the High and Mighty Lords the States General of the *United Provinces*, Commiſſioners were appointed and delegated on our part, furniſh'd with full Authority to conclude, covenant, and eſtabliſh a firm Peace, Union and Confederacy, with the Plenipotentiarys of the Lords the States General, who were ſent to us for that end, with the Character of Ambaſſadors Extraordinary: And after ſeveral Conferences held thereupon, our ſaid Commiſſioners, as alſo the Ambaſſadors and Plenipotentiarys of the Lords the States General, have, by God's Bleſſing, agreed and conſented to certain Articles, and Heads of a Treaty of Peace, Union, and Confederacy, the Tenor of which is inſerted *verbatim* as follows, *viz.*

We therefore being deſirous that all and ſingular the Things in the ſaid Articles contain'd and comprehended, ſhou'd be entirely put in Execution, perform'd, and

effectually accompliſh'd; after ſerious and mature Deliberation had thereupon with our Council, We have approv'd, ratify'd, and confirm'd, all and every Article, and by theſe Preſents do, for ourſelves and Succeſſors, approve, ratify, and confirm the ſame, according to their true, proper, and genuine Senſe and Meaning: And do engage and promiſe for ourſelves and Succeſſors, that we will obſerve, perform, and fulfil, all and every Point and Article, ſincerely, *bona fide*, and inviolably, according to the Form and Tenor thereof; and that we will effectually take care, that all and every Point and Article ſhall be perform'd, obſerv'd, and fulfill'd, by all others whom it concerns; and that we will puniſh all Contraveners without Favour or Connivance, Fraud or Guile. In witneſs whereof, we have ſign'd theſe our Letters Patent with our own Hand, and caus'd them to be ſeal'd with the Great Seal of *England*. Given at *Weſtminſter* the 19th day of *April*, 1654.

Huſey.
OLIVER, P.

The Ratification of the Lords the States General.

WE the States General of the *United Provinces* of the *Netherlands*, hereby certify to all and every Perſon whom it doth or may in any wiſe concern. Having a ſtrong Deſire and Propenſity to contract and enter into a ſtrict, firm, ſincere, and mutual Friendſhip, Union, and Confederacy with *Oliver*, Lord Protector of the Republick of *England*, *Scotland*, and *Ireland*, for defending and preſerving the Liberty and Rights of both Nations, alſo of Navigation and Commerce, and likewiſe of the Common Cauſe, againſt all Perſons whatſoever, who ſhall endeavour to diſturb this or that State: And, while we wiſh'd for the Progreſs of this ſalutary Work, we thought neceſſary to ſend the Sieurs *Jerome van Beverningk*, &c. *William de Nieupoort*, Counſellor and Treaſurer General of *North Holland*, Syndic of the Town of *Schiedam*, *Allard Peter Jongeſtal*, Counſellor in Ordinary of the Supreme Court of Juſtice in the Province of *Friezeland*, and Curator of the Univerſity of *Franeker*, as our Ambaſſadors Extraordinary to his moſt Serene Highneſs the Lord Protector of the ſaid Republick; that they might agree with

with the Commiſſioners of his Serene Highneſs abovemention'd, for cultivating and obſerving on both ſides a ſtrict, firm, ſincere, and mutual Friendſhip. They therefore after having accurately deliberated, weigh'd and diſcuſs'd all things, have, in the name of both Parties, contracted and concluded a mutual League, and agreed together on particular Articles, the Tenor of which is inſerted *verbatim* as underneath.

Wherefore we have approv'd and ratify'd, as we do by virtue of theſe Preſents approve and ratify the abovemention'd Inſtrument, of the Treaty and Articles agreed on with the Commiſſioners of his moſt Serene Highneſs, drawn up by our ſaid Ambaſſadors Extraordinary, in all its Points and Clauſes: Promiſing, that we will inviolably keep and fulfil the ſaid Inſtrument in all its Points and Clauſes, and not ſuffer it in any manner to be infring'd or violated by any other whatever. In Witneſs and Confirmation whereof, we have caus'd theſe Preſents to be ſign'd by the Preſident of our Aſſembly, to be ſubſcrib'd by the Regiſter, and ſeal'd with our Great Seal. Given at the *Hague* the 22d day of *April*, 1654. *J. van Gent.* As by Command of the aforeſaid Lords the States General.

N. RUYSCH.

Whereas it is agreed in the third Article of the Peace, Union, and Confederacy, enter'd into, eſtabliſh'd and promulgated, between the moſt Serene Lord, the Lord Protector of the Republick of *England*, *Scotland*, and *Ireland*, and the Lords the States General of the *United Provinces*, that all Injurys, Expences, and Loſſes, which either Party has ſuffer'd from the other ſince the $\frac{18}{28}$ of *May*, *Anno* 1652. ſhall be blotted and ras'd out of Memory, in ſuch manner that neither of the ſaid Partys ſhall give the other Trouble for any ſuch Loſs, Injury, or Expence; but all and every Article thereof ſhall be compleatly aboliſh'd to this very day; and all Controverſies and Suits commenc'd on that account ſhall be null and void: thoſe Depredations excepted which ſhall be committed on the *Britiſh* Seas after the Space of twelve Days, and within the *Britiſh* Seas and the Cape of St. *Vincent* after the Space of ſix Weeks; and from thence in the Mediterranean Sea and to the Line after the Space of ten Weeks; and beyond the Line after the Space of eight

Months; to be computed from the Proclamation of the Peace, or immediately after ſufficient Notice given of the Peace in the ſaid Places. And whereas ſome Queries may ariſe, perhaps, from the Words aforeſaid, which may give a Handle to Contention and Diſputes, the ſaid Lord Protector, and the ſaid States General, for preventing all manner of Controverſy which may happen, by reaſon of any thing contain'd in the aforeſaid Article, have, with unanimous Conſent, agreed and concluded, and by theſe Preſents, declare and publiſh to all and ſingular their People and Subjects reſpectively, that immediately from and after the Proclamation of the Treaty of Peace, which is already made, all Acts of Hoſtility, in what Place ſoever, ſhall ceaſe in all Parts, expreſs'd in the ſaid third Article, and every where elſe; and that all Depredations, Damages, and Injurys, which ſhall be done, or committed by one Party againſt the other, after the 4th day of *May*, *O. S.* next enſuing, in whatſoever Places are mentioned in the aforeſaid Article, or elſewhere, as well on this ſide as beyond the Line, ſhall be charg'd to Account, and thoſe things which ſhall be taken away after the aforeſaid day of *May*, ſhall be reſtor'd without any Form of Proceſs, and alſo the Loſſes from thence accruing ſhall be made good. And, to the end that this Stipulation and Convention may be the more known, both Parties ſhall publiſh the ſame in their Juriſdictions and Territorys, and ſhall command their Ships of War and others, as well thoſe in Port as thoſe at Sea, firmly to obſerve the ſame. In Faith and Witneſs whereof, as well the Lords Commiſſioners of his Highneſs, as the Ambaſſadors Extraordinary of the ſaid States of the *United Netherlands*, have ſign'd theſe Preſents with their own Hands. Done the 28th of *April*, the *Engliſh* Style, in the Year 1654.

Henry Laurence, Preſident, (L. S.)
William Pickering, (L. S.)
Edward Montague, (L. S.)
Walter Strickland, (L. S.)
H. van Beverningk, (L. S.)
William Nieupoort, (L. S.)
Allard Peter Jongeſtal, (L. S.)

A

A Secret Article or Declaration of the States of Holland *and* Weſtfriezeland, *whereby they promiſe* Oliver Cromwell, *Protector of* England, *not to chuſe the Prince of* Orange *for their Stadtholder, nor to conſent that the Poſt of Captain General be conferred on him. Done at the* Hague, May 4, 1654.

THE States of *Holland* and *Weſtfriezeland* having conſider'd and remark'd how it has pleas'd the moſt High God, according to his Infinite Goodneſs, to bleſs the late Treaties of Peace, Union, and Alliance, negotiated between the Republick of *England*, *Scotland*, and *Ireland*, on the one part, and the States of the *United Netherlands*, on the other part, with a happy Iſſue; and that on the 15th of laſt Month the ſame were entirely concluded by the Commiſſioners of his Serene Highneſs the Protector of the ſaid Republick, and the Ambaſſadors Extraordinary of theſe States, at *Weſtminſter* in *England*, and ſign'd and ſeal'd, and ratify'd, by both Parties: Whereby the States of *Holland* and *Weſtfriezeland*, having a Regard to the earneſt and repeated Inſtances of his aforeſaid Serene Highneſs, for the Confirmation of the foremention'd Treaty, and for making the Peace perpetual; as alſo to the great Apprehenſion of his Highneſs, that whenever the higheſt Office in theſe States ſhou'd happen to be conferr'd upon the Princes of *Orange*, or their Succeſſors, or Deſcendants of the Houſe of *Stuart*, great Miſunderſtandings and Jealouſies might on ſeveral Accounts naturally ariſe between the two Nations, and conſequently the preſent Treaty between the ſaid Nations might be render'd weak and ineffectual, and a heavy and troubleſome War might

enſue, as hath been often intimated. And whereas the ſaid States General uſe all their Endeavours to guard againſt the abovemention'd Misfortune, and to prevent the farther Effuſion of Chriſtian Blood, and particularly to content and ſatisfy his aforeſaid Serene Highneſs, to the utmoſt of their Power, concerning their great Care to enjoy the true Effect of the ſaid Treaty; and to make the ſaid Peace perpetual, and mutually advantageous to both Nations, they have, after having maturely conſider'd what has been paſs'd and tranſacted, declar'd themſelves, and do declare themſelves by theſe Preſents, that they think proper never to elect any Prince of *Orange*, or any of their Iſſue, for their Stadtholder, or Admiral of their Provinces; neither will they conſent to his being elected ſo much as Captain-General of the Militia of theſe Countries: To all which they oblige themſelves in the moſt ſolemn manner. Given at the *Hague*, under the Great Seal of this Province, the 4th of *May*, 1654.

Treaty

Treaty of Peace between Oliver Cromwell, *Protector of the Commonwealth of* England, *and* Chriſtina, *Queen of* Sweden; *concluded at* Upſal, *the* 11*th of* April, 1654.

WE the underwritten *Axel Oxenſtiern*, Chancellor of the Kingdom, and Provincial Judge of the *Weſtern-Nordelles*, *Swediſh Lapland* and *Jempterland*, Count of the Southern *Morea*, Free Baron in *Kimith*, Lord in *Tyholm* and *Tidoen*, Knight; and *Eric Oxenſtiern*, Son of *Axel*, Preſident of the general College of Commerce, Count of Southern *Morea*, Free Baron in *Kimith*, Lord in *Tidoen*, and of *Vybium* and *Gorwats*, Senators and Plenipotentiarys of the moſt Serene and moſt Potent Princeſs and Lady, the Lady *Chriſtina*, by the Grace of God, of the *Swedes*, *Goths* and *Vandals*, Queen, Great Princeſs of *Finland*, Dutcheſs of *Eſthonia*, *Carelia*, *Bremen*, *Verden*, *Stetin*, *Pomerania*, *Caſſuben* and *Vandalia*, Princeſs of *Rugen*, alſo Lady of *Ingria* and *Wiſmar*, &c. and Senators and Plenipotentiarys alſo of the Kingdom of *Sweden*; do hereby make known and teſtify, That as there has been a good and amicable Correſpondence, Time out of Mind, between the *Swediſh* and *Engliſh* Nations; and that as for renewing and increaſing the ſame, it has been thought convenient that the moſt illuſtrious, and moſt excellent Lord *Bulſtrode Whitlock*, Conſtable of *Windſor-Caſtle*, and one of the Commiſſioners of the Great Seal of *England*, ſhould come to her Sacred Royal Majeſty, by the Command and in the Name of *Oliver*, Lord Protector of the Republick of *England*, *Scotland*, and *Ireland*, and the Dominions thereof, ſufficiently authoriz'd and inſtructed to tranſact the Affairs hereafter mention'd; ſo on the other hand, her ſaid ſacred Royal Majeſty having furniſh'd us with the like full Powers, has graciouſly injoyn'd us, that after Conſultation held with the aforeſaid Lord Ambaſſador, on ſuch Matters as ſhall be thought

moſt agreeable to the preſent Circumſtances of Affairs, for eſtabliſhing the Freedom of Commerce and Navigation, and corroborating a mutual Friendſhip, ſomething certain might be determin'd, and comprehended under certain Articles of a mutual Treaty: For which reaſon, after mature Deliberation, we agreed to the Points hereafter following, as they are clearly expreſs'd in the Articles of this Treaty.

I. There ſhall be and remain hereafter between the Queen and Kingdom of *Sweden*, and the Lord Protector and the Republick aforeſaid, and all and ſingular their Dominions, Kingdoms, Countrys, Provinces, Iſlands, Lands, Colonys, Citys, Towns, People, Citizens, Inhabitants, and all their Subjects and Inhabitants, a good, ſincere, firm, and perpetual Peace, Amity, Good-will and Correſpondence, ſo that both Partys ſhall love each other with the moſt entire Affection.

II. The aforeſaid Confederates, and the Subjects, People, and Inhabitants of both Dominions, as occaſion offers, ſhall take care of and promote their mutual Advantage; ſhall alſo certify one another of any Dangers which they ſee threaten'd to either from the Conſpiracies and Machinations of their Enemys, and ſhall oppoſe and hinder the ſame, as far as lies in their Power. *And it ſhall not be lawful for either of the Confederates, either for himſelf, or by any other Perſons whatſoever, to act, treat of, or endeavour any thing to the Inconveniency or Detriment of the other*, in any part of their Lands or Dominions whatſoever, whether by Land or Sea; *nor ſhall either of the Confederates favour the Rebels or Enemys of the other*, nor receive, or admit into their Dominions, any Rebels, or Traytors, who ſhall form any Contrivance againſt the State of the other, much leſs afford them any Advice, Aſſiſtance or Favour, or ſuffer, or permit, any ſuch Aſſiſtance to be given them by the Subjects, People, and Inhabitants of either Nation.

III. The ſaid Queen and Kingdom, and the aforeſaid Lord Protector and Republick, ſhall be very careful to remove all thoſe Impediments as far as lies in their Power, which have hitherto interrupted the Confederates Freedom of Navigation, and Commerce between the two Nations, thro' the Dominions, Lands, Seas and Rivers of both, with other People and Nations; and they ſhall be juſtify'd in aſſerting, eſtabliſhing, defending, and promoting the abovemention'd Liberty of Navigation, and of all

all Merchandize on both ſides, againſt all Diſturbers whatſoever; without ſuffering any thing to be done or committed, contrary to this Article, either by themſelves, or their Subjects or People.

IV. 'Tis granted, and it ſhall be free for both of the ſaid Confederates, and their Inhabitants and Subjects, to have free Ingreſs and Egreſs, Reſidence or Paſſage, in, thro' or from the Kingdoms, Countrys, Provinces, Lands, Iſlands, Citys and Towns, wall'd or unwall'd, fortify'd or not fortify'd, Dominions and Territorys whatſoever, of the other Confederate, freely and ſecurely, without any Licenſe or Safe-Conduct, general or ſpecial; and in the mean time to buy and purchaſe all Neceſſarys for their Suſtenance and Uſe, where they think fit, and that they be treated with all manner of Benevolence. It ſhall likewiſe be lawful for both of the Confederates, and their Subjects and Inhabitants, to merchandiſe, traffick and trade, in all Places where Commerce has been carry'd on at any time hitherto, in whatſoever Goods and Wares they pleaſe; and every one ſhall have leave to import and export the ſame at Diſcretion. Provided they pay the Duties, and obſerve the Laws and Orders of the aforeſaid Kingdom and Republick, relating to Merchandize, or any other Right. Which things being preſuppos'd, the People, Subjects, and Inhabitants of either of the Confederates, ſhall have and poſſeſs in the Countrys, Lands, Dominions, and Kingdoms of the other, as full and ample Privileges, and as many Exemptions, Immunities and Liberties, as any Foreigner doth or ſhall poſſeſs in the Dominions and Kingdoms of the ſaid Confederates.

V. The Merchants, Captains, Maſters of Ships, Mariners, and all Men whatſoever, their Ships, and all Merchandize and Goods in general, of either of the Confederates, their Subjects and Inhabitants, ſhall not be put or detain'd under Arreſt, on any publick or private Account, by virtue of any general or ſpecial Edict, in any of the Territorys, Harbours, Stations, Shores or Dominions whatſoever, of the other Confederate, for publick Uſe, warlike Expeditions, or any other Cauſe, much leſs for the private uſe of any Perſon; nor be compell'd by any ſort of Violence, nor in any wiſe moleſted or injur'd. Provided nevertheleſs, that Arreſts which are agreeable to Juſtice and Equity be not prohibited, if made

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according to the ordinary Forms of Law, and not to gratify the Paſſions of private Perſons, but as indiſpenſably requiſite for the Adminiſtration of Law and Juſtice.

VI. That if one or more Ships of either of the Confederates, whether Ships of War, or private Ships of Burthen belonging to their Subjects, Citizens, and Inhabitants, be drove by ſtreſs of Weather, or purſued by Pyrates and Enemys, or compell'd by other urgent neceſſity to any Harbours, Stations, or Shores whatſoever, of the other Confederate, they ſhall be there receiv'd with all Kindneſs and Humanity, and enjoy amicable Protection, without being hinder'd in any meaſure from refitting themſelves intirely, and from buying all Neceſſarys for their Suſtenance, Repair, and Conveniency, at a fair Price; nor ſhall they be hinder'd on any account from weighing Anchor, and departing from any Port and Station, when they pleaſe, without paying the Cuſtoms, or any Impoſts, ſo long as they do not contravene or tranſgreſs the Statutes, Orders, and Cuſtoms of the Place, to which the Ships ſhall be retired, or where they ſtay.

VII. For the like reaſon, if one or more Ships, whether publick or private, of either of the Confederates, their Subjects or Inhabitants, have run aſhore, ſuffer'd Wreck, or any Loſs or Damage whatſoever, or ſhall hereafter, upon the Coaſts or any Territorys whatſoever of the other Confederate, the Sufferers ſhall be kindly and friendly relieved, and aſſiſted for a proper Reward. Provided that whatſoever be recover'd of the ſaid Wreck, or any Loſs or Damage, be ſecur'd, preſerv'd, and reſtor'd to the rightful Owner, or his Repreſentative.

VIII. That if the Subjects and Inhabitants of either of the Confederates, whether they are Merchants and their Factors, Servants, Captains, Maſters of Ships, Mariners or others, travelling or ſojourning, for any other reaſon, in the Dominions of the other Confederate, want the aſſiſtance of the Magiſtrates, either to plead any Cauſe in the Courts of Juſtice in their Name for the Recovery of their Debts, or for other lawful Reaſons, it ſhall be courteouſly afforded to them readily, and according to the Equity of the Caſe; and Juſtice ſhall be adminiſter'd without tedious and unneceſſary Delays. They ſhall not in any manner, or for any pretence, be hinder'd in tranſacting their Affairs, contracting for Merchandize, receiving the Price for them, and performing their Journeys, but ſhall be

be treated every where with the moſt friendly Offices; and it ſhall be free for them on both ſides to wear Arms for Self-defence, on the Shores, or in the Ships, Harbours, and publick Places whatſoever of the other Confederate. Provided they don't give the Governors and Magiſtrates of any Place whatſoever, any juſt Suſpicion of any Machinations againſt the publick or private Peace; and whoſoever behave modeſtly and innocently, ſhall be protected from Violence and Trouble.

IX. It ſhall be lawful for the ſaid Confederates, and each of them, their People and Subjects, to buy and export from their reſpective Countrys, Dominions and Kingdoms, *Arms and Warlike Stores of all ſorts, and Ships, into one anothers Harbours*, Stations and Shores, to hale them aſhore with ſafety and freedom, to reſide there, and to depart from thence, provided they behave modeſtly, peaceably, and conformably to the Laws and Cuſtoms of the ſeveral Places, and do not in any reſpect hinder the Freedom of Commerce. In like manner, the *Dutch* Ships ſhall have free acceſs to the Ports of the other Confederate, and free Anchorage there: but if their Number be ſuch as may give manifeſt Suſpicion, they ſhall not enter without Conſent and Leave firſt obtain'd from that Confederate, whoſe Harbours they are at; unleſs they are drove in by Tempeſts, or by Violence, or by Danger at Sea: in which caſe they ſhall ſignify the reaſon of their coming to the Governor or chief Magiſtrate of the Place, but ſhall not ſtay there longer than the time granted by the Governor, or chief Magiſtrate of the Place, as aforeſaid, nor longer than they obſerve this Article, and thoſe other Conditions hereafter ſtipulated.

X. It ſhall be lawful for the Subjects and Inhabitants of the Queen and Kingdom of *Sweden*, to travel ſafely, and without moleſtation, in *England*, *Scotland*, and *Ireland*, and all the Dominions thereof, and to paſs thro' the ſame whither they pleaſe, by Land or Sea, to any Nations whatſoever, and freely to trade and traffick with them in all ſorts of Merchandize, to import them thither, and to export them from thence: and the People of the aforeſaid Republick ſhall enjoy the ſame Libertys in the Kingdoms, Dominions and Territorys of the Queen and Kingdom of *Sweden*, on condition that the Laws, Ordinances and Prerogatives of each Nation reſpectively, which relate to Commerce and Merchandize, be obſerv'd on both ſides.

XI. Altho

XI. Altho the preceding Articles of this Treaty, and the Laws of Friendſhip forbid, *that either of the Confederates ſhall give Aid and Aſſiſtance to the Enemies of the other*, yet it muſt by no means be underſtood, that that Confederate, with the Subjects and Inhabitants, who are not involv'd in War, ſhall carry on no manner of Trade and Navigation with the Enemys of that Confederate, who is engag'd in the War. Only 'tis hereby provided, in the mean time, till all the Rules appertaining to this Matter are ſettled, that no Merchandize of that ſort which ſhall be deem'd *Contraband* (which ſhall be ſpecify'd by a particular Catalogue, to be ſettled within four Months) ſhall be carry'd to the Enemys of the other, without danger of being made Prize, and without hopes of Redemption, if they are ſeiz'd by the other Confederate.

XII. Leſt that ſuch free Navigation or Paſſage of one of the Confederates, or his or her Subjects and Inhabitants, while the other Confederate is at War, by Land or Sea, with other Nations, ſhou'd be prejudicial to the other Confederate; and leſt hoſtile Goods and Wares ſhou'd be conceal'd under the Diſguiſe of Friendſhip; for removing all Suſpicion and Fraud, 'tis thought fit that all Ships, Carriages, Wares and Men, belonging to either of the Confederates, ſhall be duly furniſh'd in their Journeys and Voyages, with Safe-Conducts, commonly call'd Paſſports and Certificates, which ſhall be ſign'd by the chief Governor or Magiſtrate of the chief Province, or City from whence they came, and be regulated in all things according to the Forms that ſhall be agreed on within the ſpace of ſix Months from the Date hereof: And when the Merchandize, Goods, Ships, Men of either of the Confederates, and their Subjects and Inhabitants, ſhall meet or be met by the Ships of War, publick or private, or the Subjects and Inhabitants of the other Confederate in the open Sea or Straits, Harbours, Stations, Lands, or other Places whereſoever they ſhall come together, after producing their Safe-Conducts and Certificates, nothing farther ſhall be demanded of them; no Inquiry whatſoever ſhall be made into the Ships, Goods or Men, much leſs ſhall they be injur'd, damag'd or moleſted, but ſhall be freely let go to proſecute their Journey, Voyage or Buſineſs. And if any thing be committed by either Party contrary to the genuine meaning of this Article, both of the Confederates ſhall inflict a ſevere Puniſhment on

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their Subjects and Inhabitants, the Contraveners, and ſhall take care that plenary and immediate Satisfaction be given to the other injur'd Confederate, or his Subjects and Inhabitants, for all Loſs and Expences.

XIII. If it alſo happen hereafter, during this Friendſhip and Treaty, that any of the People and Subjects of either of the Confederates attempt or endeavour any thing contrary to this League, or any Article thereof, by Land or Sea, or elſewhere; this Friendſhip, League and Contract ſhall not be interrupted or diſſolv'd between the ſaid Confederates on that account, but ſhall nevertheleſs remain and continue intire, and thoſe particular Men only ſhall be puniſh'd, who ſhall violate this Treaty, and Right and Juſtice ſhall be adminiſter'd to thoſe who receive the Injury, and all manner of Satisfaction ſhall be made them for the Loſs and Injury within the Space of twelve Months after the Reſtitution demanded. And if the ſaid Delinquents, and thoſe who are guilty of the Violence committed, refuſe to ſtand and ſubmit to Juſtice, or to make Satisfaction within the Day appointed, their Eſtates, Goods, and Poſſeſſions whatſoever, ſhall be confiſcated and ſold for the juſt and full Satisfaction of the Injurys which they have committed; and the Delinquents and guilty Perſons themſelves, when they come into the Power of the other State, ſhall moreover ſuffer due Puniſhment, according to the Nature of the Offence. And Reſtitution and Satisfaction ſhall be made ſpeedily, and without delay to the Party injur'd, and his or her Subjects and Inhabitants, for the Loſſes and Damages which either of the Confederates ſuffer'd by the other, during the War betwixt *England* and the *United Provinces* of the *Netherlands*.

XIV. The preſent Treaty and Confederacy ſhall derogate nothing from any Preheminence, Right and Dominion whatſoever, of either of the Confederates, in their Seas, Straits, and Waters whatſoever, but ſhall have and retain the ſame to themſelves, in as ample a manner as they have hitherto enjoy'd them, and as by Right to them belongs.

XV. Whereas therefore 'tis the primary Inſtitution of this Treaty, that ſuch a *Freedom of Navigation and Commerce*, as is deſcrib'd in the foregoing Articles, may be and remain on both ſides, to both of the Confederates, their Subjects and Inhabitants, in the *Baltick Sea*, the *Sound*, the

the *North Sea*, the *British Ocean*, the *Mediterranean*, and the *Channel*, and the other Seas in *Europe*, both Partys shall endeavour heartily, with their joint Advice, Help and Assistance, that the aforesaid mutual *Freedom* of Navigation and Commerce may be establish'd and promoted, in all the Seas and Straits aforesaid, and *defended*, if Occasion shall require, against all Disturbers, who shall attempt to interrupt, prohibit, hinder, constrain or force it for their own Pleasure, and for the sake of injuring the Confederates. And both of the said Confederates shall contribute friendly and readily to promote the Advantages and remove the Disadvantages of each other; saving the Treatys heretofore enter'd into, and still subsisting, between both Nations, and other Kingdoms, Republicks and States. And hereafter neither of the Confederates shall by any means enter into any Treaty, or make any Contract with other foreign Nations and States whatsoever, to the least prejudice of this present Treaty, without the previous Knowledge and Consent of the other Confederate; or if any thing shall hereafter be stipulated with others, it shall be accounted of no Effect, and shall yield in all respects to this mutual Convention. *As to the mutual Aid or Assistance to be given one another for the Defence of this Treaty, and the Freedom of Commerce and Navigation*, when it shall be necessary, and Reason requires, a more particular Agreement shall be made, according to the Circumstances of Time, *&c.*

XVI. As to the other Advantages to be enjoy'd, and Laws to be conform'd to by the Men of War, which arrive at the Harbours or Stations of either of the Confederates, the Trade to be carry'd on in *America*, also as to the catching of *Herrings*, and other Fish whatsoever, the appointing of *Staples* and Emporiums of Commerce, and the regulating of other Matters and Conditions, which may be required for the greater illustration of the foregoing Articles, the same shall be settled, as hereafter shall be mutually agreed, by a special Treaty or Covenant.

XVII. But those things to which we have consented in the former Articles shall immediately from this Instant be in full Force, and duly observ'd by both Partys, and by all who are united on both sides by Allegiance, Faith and Obedience. And to the Intent that hereafter they may be render'd the more stable and firm, as well by hermost

gracious Royal Majeſty, as by the Lord Protector of the Republick of *England*, *Scotland* and *Ireland*, and their Dominions, in the Name of his Highneſs, and the ſaid Republick, they ſhall be ſubſcrib'd, ſign'd and ratify'd within the Term of four Months, with the very Hands and Seals of her Majeſty and his Highneſs.

In Confirmation of all that's above written, and in Witneſs that they ſhall be ſacredly obſerv'd, and ratify'd within the Day aforeſaid, on the part of her Royal Majeſty, our moſt gracious Lady, we have ſubſcrib'd theſe Preſents with our Hands, and ſeal'd them with our Seals. Done at *Upſal* the 11th of *April* 1654.

Treaty of Peace and Alliance, between Oliver Cromwell, *Protector of* England, *and* John IV. *King of* Portugal. *Made at* Weſtminſter *the* 10*th of* July 1654.

I. THAT there ſhall be a good, true, and firm Peace between the Republick of *England*, and the moſt ſerene King of *Portugal*, and between the Countrys, Territorys, Kingdoms, Dominions and Principalities under their reſpective Governments, and their People, Subjects and Inhabitants of whatſoever Condition, Rank and Dignity, not only by Land, but on the Sea, Rivers and Freſh Waters; in ſuch manner that their ſaid People and Subjects ſhall behave to each other with Favour and Aſſiſtance, mutual Love and honeſt Affection; and that neither of the ſaid Partys, or their People, Subjects or Inhabitants, ſhall commit or attempt any thing againſt the other in any place, either by Land or Sea, or in the Harbours or Rivers of either, nor ſhall conſent or adhere to any War, Counſel or Treaty, to the Damage of the other, nor receive or harbour the Rebels or Fugitives of either in any of the other's Territorys, Kingdoms, Dominions, Ports or Borders.

II. That there ſhall be a free Commerce between the Republick of *England*, and the King of *Portugal*, and their People, Subjects and Inhabitants, as well by Land as on the Sea, Rivers and Freſh Waters, in all and ſingular the Countrys, Lands, Dominions, Territorys, Provinces, Iſlands, Colonys, Citys, Towns, Villages, Ports and Borders, where Commerce was heretofore or is at this time carry'd on, in ſuch manner that the People, Subjects and Inhabitants of either, may without any ſafe Conduct or other general or ſpecial Licenſe, paſs by Land and Sea, by Rivers and Freſh Waters, to the aforeſaid Dominions and Kingdoms, all their Citys, Towns, Harbours, Shores, Bays and Places, and enter the ſame with Carriages, Horſes, Packs and Veſſels, laden or unladen, there to import, ſell and buy Merchandize, and at a reaſonable Price to procure Victuals, and what Neceſſarys they want for their Stay and Voyage, to refit their Ships and Carriages, whether their own, or ſuch as are hir'd or lent and with the ſame Liberty to depart from thence, with their Goods, Merchandize, and all other things whatſoever, either to their own or Foreign Countrys, as they think fit, and without any Hindrance; ſaving nevertheleſs all the Laws and Statutes of each Place.

III. That the People and Inhabitants of this Republick ſhall be at Liberty to buy up all ſorts of Wares, Goods, and Merchandize, and the ſame to uſe and enjoy in the Kingdoms, Provinces, Territorys and Iſlands of the King of *Portugal*, at the firſt Sale, either in Parcels, or in whatſoever Number and Size, when and whereſoever they pleaſe; neither ſhall they be compell'd to purchaſe them either of Foreſtallers or Monopoliſts, nor ſhall they be circumſcrib'd to a ſet Price: They may alſo at Diſcretion, ſell, traffick and freely tranſport any ſort of Goods, Wares and Merchandize whatſoever, from the ſaid Kingdoms and Dominions, paying only the Cuſtoms and Conſul's Fees, due for the Goods exported, as they were paid the 10*th* of *March* O. S. and 20*th* N. S. in the year 1653. according to the *Engliſh* Computation. But as to Purchaſes and Sales by the Negotiation of Brokers, the ſaid People of this Republick ſhall enjoy and uſe the ſame Libertys, Privileges and Exemptions as the *Portugueſe* themſelves, and they ſhall be as well us'd at publick Sales and Contracts, as the Natives and Countrymen; and all Privileges and Immunities granted to the *Engliſh* at any time heretofore, by all or any of the Kings of *Portugal*, ſhall be confirm'd

confirm'd by an Edict, to the end that the People and Inhabitants of the ſaid Republick may enjoy them, together with all other Privileges and Immunities, which now are or hereafter ſhall be granted to any Nation, Kingdom or Republick in Alliance with the ſaid King of *Portugal*.

IV. That as often as the People and Inhabitants of this Republick arrive with their Ships at any of the Harbours of the Kingdom of *Portugal*, the ſaid People and Inhabitants ſhall not be compell'd in the leaſt, by the ſaid King's Officers and Subjects, to load or put on board their Ships any other Species, or ſorts of Goods and Merchandize, than what they think fit; and while they ſtay there, only two Officers, or Waiters at moſt, ſhall be plac'd upon their Ships, nor ſhall there be any fruitleſs Delay in the unlading them. And if the ſaid Ships and Veſſels laden with dry Goods, are not unladen within *ten days* after their entrance into Port, and thoſe laden with Fiſh and Proviſions, within *fifteen days*, they ſhall not be oblig'd to pay any Stipend, Sum of Money, or other Reward, to the ſaid Officers or Waiters, nor ſhall they pay any thing more than for the ſaid *ten* and *fifteen* days reſpectively.

V. If the Subjects of the moſt Serene King of *Portugal*, or others within the Kingdoms and Government of the ſaid King, or their Goods and Merchandize, are ſeiz'd, ſtopp'd and detain'd, by the Office of the Court of Inquiſition, or the Judges or Miniſters thereof, or by the King's Exchequer, and it ſo happen that they owe, or ſhall owe any Money to any of the People of this Republick, the ſaid Debts ſhall be paid intirely out of the ſaid Goods and Merchandize, within ſix Months next after the ſaid Attachment or Seizure, without Hindrance or Moleſtation from the ſaid Court, or its Judges or Miniſters; but if among the ſaid Goods and Merchandize, ſo attach'd and ſeiz'd, there remain any Goods and Merchandize of the ſaid People and Inhabitants in Specie, the ſame ſhall immediately be reſtor'd to them.

VI. That the Captains, Maſters, Officers and Mariners of the Ships of this Republick, or of any of its People, ſhall not ſue, or in any wiſe moleſt the ſaid Ships or People of this Republick, within the Kingdoms and Government of the King of *Portugal*, on account of their Stipend or Salary, on pretence that they profeſs the *Ro-*

miſh Religion; nor ſhall they under this, or any other pretext, engage in the Service of the King of *Portugal*, or in any other manner ſeparate from the other Ships in their Company: and if they offend in this point, an account ſhall be taken of their Names, and they ſhall be compell'd by the Magiſtrates and Officers of the Place to return to the Ships; and if they cannot be found, it ſhall be lawful for the Maſter of ſuch Ship or Veſſel, to detain their Clothes, Goods or Wages, for the Repair of Damages.

VII. That the Conſuls who ſhall reſide hereafter in any part of the Dominions of *Portugal*, for the Aſſiſtance and Protection of the People of this Republick, ſhall be nominated and fix'd by the ſaid Lord Protector, and when ſo nominated, ſhall obtain and exerciſe the ſame Authority as any Conſul, of this or any other Nation whatſoever, doth now or ſhall hereafter exerciſe in the Dominions of the ſaid King, altho they do not profeſs the Romiſh Religion. Alſo for judging all Cauſes which ſhall relate to the People of this Republick, a Judge Conſervator ſhall be deputed, from whom no Appeal ſhall be granted, unleſs to a Committee of Senators, where the Diſputes ſhall be determin'd within the ſpace of four Months at moſt, after the Appeals.

VIII. That if any of the People of this Republick depart this Life within the Kingdoms and Dominions of the moſt ſerene King of *Portugal*, the Books, Accompts, Goods and Merchandize of Him or Them, ſhall not be ſeiz'd nor poſſeſs'd by the Judges of the Orphans and Perſons abſent, or by their Miniſters or Officers, nor ſhall be liable to their Juriſdiction; but the ſaid Goods, Merchandize and Accompts, ſhall be deliver'd up to thoſe *Engliſh* Factors or Attorneys reſiding on the Spot, who are nominated or deputed by the deceaſed: but if the Defunct, whilſt living, nominated none, then the ſaid Goods, Merchandize, and Accompts ſhall, by the Authority of the Judge Conſervator, be deliver'd to two or more *Engliſh* Merchants, who ſhall be choſe by the Majority of the Merchants reſiding in the Place, and approv'd by the *Engliſh* Conſul, after having given Security by proper Bondſmen, who ſhall be approv'd by the Conſul, for reſtoring the ſaid Goods, Merchandize and Accompts, to the lawful Owners, or their true Creditors. And the Goods which ſhall appear to have been

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the Deceaſed's, ſhall be deliver'd to his Heirs, Executors, or Creditors.

IX. That neither the King of *Portugal*, nor any of his Miniſters, ſhall detain, arreſt, or attach any Merchants, Maſters of Ships, Captains or Mariners, or their Ships, Merchandize, or other Goods, which belong to this Republick, or any of its People, either for War, or any other Uſe whatſoever, unleſs the Lord Protector, or thoſe to whom ſuch Ships and Goods appertain, are firſt appriz'd thereof, and give their Conſent; but that the ſaid Ships, Men and Goods, ſhall, at their own pleaſure, have free Liberty to depart from the Harbours and Dominions of the ſaid King, without any Hindrance from his ſaid Majeſty, or any of his Miniſters: and that the Sale of the Merchandize and Goods of the People of this Republick ſhall not be hinder'd, or delay'd, under pretence that the *King has occaſion for them*, or for any other reaſon whatſoever; nor ſhall they be diverted to the King's uſe, or to any other Uſes whatever, without the Conſent of thoſe concern'd.

X. That the People of the Republick of *England* may freely export in their Ships, all Goods, Wares and Things, of what kind ſoever, even Arms, Proviſion, or the like, from the Harbours and Dominions of the ſaid Republick, or any other Harbours and Dominions whatever, provided they are not exported immediately from the Harbours and Dominions of *Portugal*, to any Ports and Territorys whatſoever of the King of *Caſtile*. And that neither the moſt Serene King of *Portugal*, nor his Subjects, ſhall hinder the ſaid Ships, Goods or Men, by Seizures, Repriſals, or any other Cauſe whatſoever, from navigating ſecurely to the Harbours and Territorys of the ſaid King of *Caſtile*, and from trafficking therein; and that the People of this Republick may freely import Arms, Corn, Fiſh, and all other ſorts of Merchandize, into the Kingdoms, Ports, and Territorys of the King of *Portugal*, and the ſame ſell at pleaſure, either in Parcels, or in Bulk, to whatſoever Chapmen, and for whatever Price they can get; and ſhall not be prohibited, circumſcrib'd or reſtrain'd, by his ſaid Royal Majeſty or his Miniſters, Governours, Farmers of the Cuſtoms, or Monopoliſts, or by any Chamber or Juriſdiction whatſoever, of any Court publick or private; and that the Goods or Merchandize, after paying the Cuſtoms or Im-

poſts, in ſuch of his Majeſty's Harbours whereſoever they are, ſhall be freely tranſported into any other Ports or Places whatſoever of his ſaid Majeſty, without paying any other, or farther Cuſtom, Duty, or Sum of Money, beſides what the *Portugueze* Merchants ſhould pay, if the Goods and Merchandize belong'd to them.

XI. That the People and Inhabitants of the Republick of *England*, ſhall trade and traffick freely and ſafely from *Portugal to* Braſil, *and the other Conqueſts of the ſaid King in the* Weſt Indies, *and from* Braſil *and the ſaid Conqueſts to* Portugal, in all ſorts of Goods and Merchandize whatſoever, (except *Meal*, *Fiſh*, *Wine*, *Oil*, *and* Braſil *Wood*, which are prohibited by the King in purſuance of a Contract with the *Braſil* Company) paying the Dues and Cuſtoms which others pay who trade into thoſe Countries, and provided that the *Engliſh* Ships hired by the *Portugueze* ſail in company with the *Portugueze* Fleet: and that the ſaid People and Inhabitants arriving from any of the Harbours and Places in *Braſil*, and the ſaid Conqueſts, at any of the Dominions of the ſaid King whatſoever, ſhall not be compell'd to unlade their Ships, or to export any Goods belonging to the *Engliſh*; but the Officers of the Cuſtoms ſhall cauſe the Goods, while they are aboard the Ships, to be weigh'd, to the end that the Cuſtoms and Dues may be paid for them; and that no heavier Duty or Impoſt, nor greater Sum of Money, or Expence, ſhall be demanded or pay'd to the King's Officers, than if the Goods were expos'd a-ſhore, nor ſhall there be any Delay in diſpatching and diſmiſſing the ſaid Ships. And after they are arriv'd at any other Dominions of the ſaid King whatſoever, having paid the Cuſtoms and Duties abovemention'd, they ſhall freely proceed to any other Harbour or Place whatſoever; and the Goods put on board the *Engliſh* Ships, either by the Subjects of the ſaid King, or by others, to be tranſported to any part whatſoever of the Dominions of the ſaid King, ſhall by no means pay greater Cuſtoms, or any different Dutys than if they were put on board *Portugueze* Ships. And likewiſe, that the People and Inhabitants of the Republick of *England* ſhall have the Liberty of navigating to the Colonys, Iſlands, Countrys, Harbours, Diſtricts, Towns, Villages, and Staples, belonging to the King of *Portugal* in the *Eaſt Indies*, *Guinea*, the Iſland of *St. Thomas*, and elſewhere, on the Coaſts and Shores; and there to reſide, nego-

negotiate, and traffick by Land or Sea, on the Rivers or Freſh Waters, in any Goods and Merchandize whatſoever; and to tranſport all kind of Merchandize, to any Place or Country, with the ſame Freedom as formerly, and the ſame that was ever granted by any Treaty heretofore, or ſhall hereafter be granted to the Inhabitants of any other Nation, in Alliance and Friendſhip with that Crown. But as to the Cuſtoms and Dutys to be paid in thoſe Countrys, they ſhall not pay more or greater than thoſe which are paid by any Perſon or Perſons trading in any of the ſaid Places or Countrys. And alſo, that the King of *Portugal* or his Subjects, as well the *Braſil* Company as all others, as often as they have need of foreign Ships for Trade and Navigation to *Braſil*, or the Coaſts and Iſlands abovemention'd, or elſewhere, ſhall hire the Ships of this Republick and its Subjects *at the uſual and ordinary Rates*, and *no other Ships of any Prince or Republick*, provided that the number of the *Engliſh* Ships be ſufficient for their purpoſes; excepting that the *Braſil Company*, as is ſet forth in the Charter of their Liberties, granted to them by the King's Letters Patent, may hire *of what Nation ſoever they pleaſe*, two Ships to be fitted out as Convoys, and four others to be ſent with Fiſh to *Braſil*; and that as well the *Braſil Company* as all other the Subjects of the ſaid King, who follow Merchandize, ſhall freely, without any Licenſe, general or ſpecial, firſt obtain'd, hire as many *Engliſh* Ships as they pleaſe, and ſail therein to *Braſil* and the other Conqueſts of the ſaid King in the *Weſt Indies*: And that whatever Stipend ſhall be agreed on for Lading and Stay, the ſame ſhall run on and be plac'd to the Reckoning, till the whole is paid, tho it exceed what was bargain'd for the Time.

XII. That whereas the moſt Serene King of *Portugal*, by his Reſcript ſeal'd with his Seal, and dated at *Lisbon* the 21ſt day of *January*, in the Year of our Lord 1641. granted to the Inhabitants of the Lands under the Dominion of the States of *Holland*, free Liberty of importing and exporting all ſorts of Merchandize from his Kingdoms, Dominions, and Territorys; the People of the Republick of *England* ſhall uſe and enjoy the ſame Liberty in the Kingdoms and Dominions of the King of *Portugal*.

XIII. That no Alcaid, as he is commonly call'd, nor other Officer of the King's Majeſty, ſhall arreſt or im-

peach any of the People of this Republick, of what Rank or Condition ſoever, except in a *Criminal Cauſe* where he is apprehended in the Fact, unleſs he be *firſt empower'd in Writing* by the Judge Conſervator; and that the People aforeſaid, in other reſpects, as to their Bodys, Dwellings, Books of Accounts, Intereſts, Merchandize, and Goods, ſhall enjoy equal and the ſame Immunity within the Dominions of the moſt Serene King of *Portugal*, from Impriſonment, Arreſts, and other Moleſtations whatſoever, as is or hereafter ſhall be granted to any other Prince and People whatſoever, in Alliance with the King of *Portugal*: nor ſhall they be hinder'd by any ſafe Conduct or Protection, to be granted by his Authority to the Subjects of the ſaid King, or others frequenting his Dominions, from recovering their Debts; but they ſhall have a Right to ſue every Man to Juſtice for the Recovery of any juſt Debt, whatever be his Protection or Paſſport, be he a Farmer of the Revenue, or any other privileg'd Perſon.

XIV. And foraſmuch as the Rights of Commerce and Peace wou'd be null and void, if the People of the Republick of *England* ſhou'd be diſturb'd for Conſcience ſake, while they paſs to and from the Kingdoms and Dominions of the ſaid King of *Portugal*, or reſide there for the ſake of exchanging their Wares; that Commerce may therefore be free and ſecure both by Land and Sea, the ſaid King of *Portugal* ſhall effectually take care and provide that they be not moleſted by any Perſon, Court, or Tribunal, for any *Engliſh* Bibles or other Books which they may have in their Cuſtody, or make uſe of: And that it ſhall be free for the People of this Republick to obſerve and profeſs their own Religion in private Houſes, together with their Families, within any of the Dominions of the ſaid King of *Portugal* whatſoever; and the ſame to exerciſe on board their Ships and Veſſels, as they ſhall think fit, without any Trouble or Hindrance: And finally, that a Place be allotted them fit for the Burial of their Dead. Provided, nevertheleſs, that the *Engliſh* don't exceed what is written in this Article.

XV. If it ſhall happen hereafter, that any Controverſys and Doubts ariſe between the ſaid Nations, which may endanger the Interruption of Commerce between them, publick Notice ſhall be given to the People and Subjects of both Parties, thro' all the Kingdoms and Provinces

vinces of both; and the Space of two Years after such Notice allow'd for transporting their Persons, Goods, Ships, Wares and Substance whatsoever, without any Molestation, Impediment, or Damage, offer'd in the mean time to their Persons or Goods: and it shall be lawful for the said People and Subjects, on both sides, to whom any Debts were owing at the time of such publick Notice, legally to demand the same within the said two Years, in the Places and Dominions where they are owing, and afterwards Justice shall be done them speedily and effectually, so that such Creditors may be able to obtain their own within the Time prescrib'd.

XVI. If it shall happen, that while this Treaty, Friendship and Intercourse are subsisting, any thing be committed or attempted by any of the People or Inhabitants of either of the said Parties, contrary to this Treaty, or any part thereof, by Land or Sea, on the Rivers and Fresh Waters, the said Friendship and Intercourse betwixt these Nations shall not therefore be interrupted, nor infring'd, but shall, nevertheless, remain intire and in full Force, and those only who violate the said Treaty shall be punish'd, and none else; and Justice shall be done, and Satisfaction given, to all those concern'd, by all those who by Land, Sea, Rivers, or Fresh Waters, shall act any thing contrary to this Treaty, in any part of *Europe*, or elsewhere, within the Straits of *Gibraltar*, either in *America*, or along the Coasts of *Africa*, or in any of the Lands, Islands, Seas, Arms of the Sea, Bays, Rivers, or in any Places on this side of the Cape of *Good Hope*, within the Space of a Year after Justice shall be demanded; and in all Places, as above, beyond the said Cape within eighteen Months after Justice be requir'd, in the manner abovemention'd. And if the Violators of the Treaty don't appear, nor surrender themselves to Trial, nor give Satisfaction within this or the other Space of Time now limited, according to the Distance of the Place, they shall be deem'd as the Enemies of both Partys, and their Goods, Substance, and Revenues whatsoever, shall be set to publick Auction, and sold to make full and just Satisfaction for those Injurys which they have suffer'd from them; and the Offenders, when they happen to be in the Power of either Party, shall be liable to those Punishments which their respective Crimes deserve.

XVII. If

XVII. If any Controverſy ſhou'd ariſe between the ſaid King's Inſpectors, Officers, or Miniſters, and the ſaid Merchants, concerning the Goodneſs of the Fiſh, or any other ſort of Proviſions whatſoever, which ſhall be brought to any of the ſaid King's Dominions, the ſame ſhall be decided by the Arbitration of Good Men, provided they are *Portugueze*, who ſhall be fairly choſe by the Magiſtrate of the Place, and the Conſul of the *Engliſh* Nation; and ſhall ſo determine the Matter, that no Detriment happen to the Owner in the mean time, while the Matter is in Diſpute.

XVIII. It ſhall be lawful for the People or Subjects of either Party to enter the Ports of the other, there to reſide, and thence to depart with equal Liberty, not only with Merchant Ships and Tranſports, but alſo with Men of War, Guard-ſhips, and Convoys, whether they are drove thither by a Storm, or come in for refitting their Ships, or for victualling them, provided they don't exceed the number of ſix Men of War, if they chance to come there of their own Accord; nor ſhall they ſtay or continue longer in the Ports, or upon the Coaſts, than is neceſſary, leſt they ſhou'd give occaſion for interrupting the Commerce of other Nations, which are united by Friendſhip and Alliance. And if at any time any unuſual number of Ships ſhou'd come to ſuch Harbours by chance, it ſhall not be lawful for them to enter, without a Power firſt granted by thoſe in whoſe Juriſdiction the Harbours ſhall be, unleſs they are drove in againſt their Will, by Streſs of Weather, or other urgent Neceſſity, for avoiding the Danger of the Sea and Shipwreck; in which caſe, they ſhall immediately notify the reaſon of their coming thither to the Governor or chief Magiſtrate of the Place; nor ſhall they ſtay there longer than they are allow'd by ſuch Governor or chief Magiſtrate, nor commit any Hoſtility in thoſe Harbours, which may be detrimental to the ſaid Republick or King.

XIX. That neither the ſaid Republick nor King ſhall ſuffer the Ships and Goods of either of their People, which ſhall at any time be taken by the Enemys or Rebels of the other, and carry'd to any Ports or Places of the other's Territorys or Dominions, to be convey'd away from the Owners or Proprietors; but the ſame ſhall be reſtor'd to them, or their Attorneys, provided they lay claim to ſuch Ships and Goods before they are ſold and clear'd,

clear'd, and either prove their Right, or exhibit Teſtimonys of their Property in them, within three Months after the ſaid Ships and Goods are ſo carry'd off: And in the mean time the Proprietors ſhall pay and diſcharge the neceſſary Expences for the Preſervation and Cuſtody of the ſaid Ships and Goods.

XX. That the People and Inhabitants of the Republick of *England*, who frequent the Kingdoms, Dominions, and Countrys of the ſaid King, for the ſake of Traffick, or who arrive at his Harbours with their Ships, ſhall not pay for Tonnage, Anchorage, or other Expences of the Harbours, any other Cuſtoms, or Sums of Money, beſides thoſe uſually paid to the King, or the Chamber of *Lisbon*; and if any other ill Cuſtom has crept in, it ſhall not be regarded hereafter.

XXI. That no Tribute ſhall be demanded from any of the People of this Republick, either in *Lisbon* or in any other Place, to be paid to the Chapel of St. *George*; nor ſhall they be compell'd to perform any Dutys in Perſon, or to wear any ſort of Arms, or to furniſh others therewith.

XXII. That the Merchants of either of the Partys aforeſaid, and their Factors, Servants, Familys, Brokers, and other Officers, Pilots, and Maſters of Ships, and Seamen, ſhall ſecurely and freely paſs up and down in the Dominions, Territorys and Countrys of the ſaid Republick and King, as alſo in their Harbours, and on their Shores; and the People and Subjects of the one, ſhall have and hold Dwelling-houſes of their own in any of the Dominions of the other, together with Warehouſes for laying up their Goods and Merchandize, as long as they hire the ſame, without Moleſtation from any Perſon. They ſhall alſo be at liberty to wear Swords, and to carry Arms with them, both offenſive and defenſive, according to the Manner and Cuſtom of the Place, for the better Security of their Perſons and Goods.

XXIII. That all Goods and Merchandize of the ſaid Republick or King, or of their People or Subjects, found on board the Ships of the Enemys of either, ſhall be made Prize, together with the Ships, and confiſcated to the Publick. But all the Goods and Merchandize of the Enemys of either, on board the Ships of either, or their People or Subjects, ſhall remain untouch'd.

XXIV. That

XXIV. That all juſt Debts owing to the *Engliſh*, by the King of *Portugal*, on account of Merchandize taken or bought, or of Ships laden, either before or after putting their Goods in Sequeſtration to this Time, ſhall be paid and diſcharg'd within two Years next following; and that all Recognizances, Bonds, and Suretyſhips, enter'd into by the *Engliſh*, on account of any Ships formerly laden by the King of *Portugal*, or any of his Subjects bound to the Coaſts of *Braſil* or *Angola*, and afterwards detain'd in any of his Majeſty's Harbours, or ſeiz'd and occupy'd by Prince *Rupert*, or Prince *Maurice*, or hinder'd in any wiſe by the ſaid King, and any of his Officers or Miniſters, from a Capacity of performing their Contracts, ſhall from this time be cancel'd, reſcinded, and made void; and that neither their Perſons nor their Ships or Goods ſhall be put under Arreſt, or in any wiſe moleſted by the ſaid King, or any of his Subjects, on account and by reaſon of the ſaid Contracts.

XXV. Alſo, whereas there was a Convention between the late Parliament, and an Ambaſſador Extraordinary from the King of *Portugal*, and the ſaid Ambaſſador in the ſecond of the ſix Preliminary Articles, which were agreed to on the 29th of *December*, 1652. oblig'd himſelf that all the Ships, Moneys, Goods, and Debts, appertaining to any *Engliſhmen* whomſoever, which were taken and detain'd in any of the Dominions whatſoever of the King of *Portugal*, ſhou'd immediately be freely reſtor'd in Specie, provided they were of the ſame Value and Goodneſs as when they were at firſt detain'd, and if not, that the Value ſhou'd be reſtor'd; or if they prov'd worſe by being detain'd, that then Satisfaction ſhou'd be given for them, according to their true Value when they were firſt detain'd. And as to the Compenſation of the Damages, the Council having declar'd them by their Charter of the 15th of *November*, 1652. and it appearing from the ſaid Declaration that they had not reſolved to inſiſt upon and demand a ſtrict Reparation, but only as far as was agreeable to Juſtice and Reaſon; and whereas the ſaid Ambaſſador, to witneſs his Inclination to Peace, bound himſelf on this Suppoſition, that the Loſſes ſhou'd be repair'd; and whereas in the fifth of the ſaid Preliminarys, the ſaid Ambaſſador engag'd farther, *That all the Ships and Goods of the* Engliſh, *which are brought into* Portugal *by the Princes* Rupert *and* Maurice, *or by any Ship whatſoever*

ſoever under their Command, and there diſpos'd of, or ſtill remaining, or brought back from thence by others, or by their Command, ſhou'd be preſently reſtor'd to the Owners and Proprietors, or that Reparation and Satisfaction ſhou'd be given to them. And becauſe ſome Controverſys are now remaining, concerning the Demands of Merchants, and others, reſpecting Satisfaction; to the end that all ſuch Demands and Complaints may be fairly and juſtly decided and determin'd, 'tis agreed and concluded on both ſides, That the ſaid Demands on account of Loſſes ſhall be referr'd to Arbitration for Satisfaction, as they are by theſe Preſents referr'd to the Judgment and Award of Dr. *Walter Walker*, *John Crowther*, Dr. *Jeronymus a Sylva*, Secretary of the Embaſſy, and *Francis Ferreira Rabello*, Agent in the Affairs of the ſaid Embaſſy, Perſons choſe indifferently, as well on the part of the King of *Portugal* as of the Lord Protector, who by theſe Preſents are made and conſtituted Procurators, Arbitrators, and Judges, to hear, examine, and determine all and ſingular the Demands and Complaints of all and ſingular the Merchants, Maſters of Ships, and others, who claim a Right to all or any of the Ships, Moneys, Debts, Merchandizes or Goods whatſoever, mention'd in the ſaid Preliminary Articles; which Arbitrators ſhall meet and ſit at *London* on the 20th day of *July* next, *O. S.* and ſhall take a ſolemn Oath on that day, before the Judges of the High Court of Admiralty of *England*, that they will renounce all Favour and Reſpect to either Party, and all private Intereſt in judging of the Matters to them referr'd; and by theſe Preſents they are inſtructed and authoriz'd to call for any Perſons whatſoever, and to command ſuch Depoſitions and Papers to be laid before them, as ſhall have any Relation to the Affair to them referr'd. And they ſhall particularly inquire into the Truth of all ſuch Demands and Complaints, whether given in upon Oath or not; as alſo all and ſingular the Loſſes ſuffer'd by the ſaid Arreſts and Detainers. And the ſaid Arbitrators are authoriz'd by theſe Preſents to define each of the Premiſes, and to liquidate, and adjudge, and finally to determine the Loſſes, as they or the major part of them ſhall think fair and juſt in their Conſciences and Reaſon, and to publiſh their final Sentence under their Hands; which Sentence ſo publiſh'd, ſhall bind and oblige both Parties, without any Appeal, Reviſal, or Contradiction whatſoever. And the

ſaid

ſaid King binds himſelf effectually to perform and obſerve the ſame, in all its-Members and Articles; as alſo to pay, or cauſe to be paid, ſuch Sum or Sums of Money as ſhall be adjudg'd as aforeſaid. And furthermore 'tis agreed, that if the ſaid Arbitrators do not agree and finally determine of and concerning the Premiſes to them referr'd, before the firſt of *September* next *O. S.* then the ſaid Demands ſo undetermin'd, or undecided by the ſaid Arbitrators, ſhall be ſubmitted, as they are by theſe Preſents ſubmitted, to ſuch Member of the Lord Protector's Privy Council, as the ſaid Lord Protector ſhall nominate, within any Time whatſoever after the firſt of *September* next. To which end, the ſaid Lord Protector ſhall grant his full Powers to ſuch Perſon ſo nominated, in order to determine finally of and concerning all and ſingular the Demands aforeſaid. And if before the Pronunciation of Sentence by the ſaid Privy Counſellor, any Papers ſhou'd come from *Portugal*, or any Proctor to plead Cauſes thereupon, the ſaid Counſellor ſhall hear him; and whatever Sentence ſhall be given by ſuch Perſon ſo inſtructed, under his Hand and Seal, ſhall conclude and bind both Parties, and the ſame ſhall be duly perform'd and accompliſh'd. And for the greater Security that ſuch Sum of Money as is adjudg'd by the ſaid Arbitrators or Arbitrator may be honeſtly paid, 'tis agreed and concluded, that one Moiety of the Subſidies and Cuſtoms of *Portugal*, ariſing from all the Goods and Merchandize whatſoever of the Inhabitants and People of this Republick, who traffick in *Portugal*, ſhall immediately after the Date of this Treaty be appropriated to the Payment: Which Moiety ſhall be paid from time to time, to ſuch Perſon as the ſaid Lord Protector ſhall appoint, for and towards the Reparation of the Loſſes of the Merchants, Maſters of the Ships, and Owners.

XXVI. 'Tis alſo agreed and concluded, that no other League or Confederacy whatſoever, made or to be made, by the moſt Serene Lords the Protector of *England* and the King of *Portugal*, with any other Princes or Republicks whatſoever, ſhall derogate from the preſent Treaty of Peace and Alliance, but that the Peace and Confederacy ſhall be kept intire, and always in full Force.

XXVII. 'Tis alſo agreed and concluded, that both Partys ſhall truly and firmly obſerve, and put in execution the preſent Treaty, and all and every Article and

Articles

Articles therein contain'd and comprehended, and cauſe the ſame to be obſerv'd, and effectually perform'd by the People, Subjects, and Inhabitants of each reſpectively.

XXVIII. 'Tis alſo agreed and concluded, that the preſent Treaty, and all and every Point and Points therein contain'd and concluded, ſhall within ſix Months next enſuing, be confirm'd and ratify'd by the ſaid Lord Protector, and the King, by the Letters Patent of both Partys, ſeal'd with the Great Seal, in a due and authentick Form; and within the ſaid Term, mutual Inſtruments ſhall be deliver'd on both ſides, and the ſaid Peace and Confederacy ſhall be proclaim'd in the uſual Forms and Places, immediately after the Delivery and Exchange of the Inſtruments.

In Witneſs and Teſtimony of all which, we the Commiſſioners of his Highneſs the Lord Protector, and the Ambaſſadors Extraordinary of the moſt Serene King, by virtue of our reſpective Commiſſions and full Powers, have ſign'd the preſent Treaty with our own Hands, and ſeal'd it with our Seals. Done at *Weſtminſter* the 10th day of *July*, in the Year 1654.

A Sentence of Arbitration, paſs'd between Oliver Cromwell, *Protector of* England, *on one part, and the Lords the States General of the* United Provinces *of the* Netherlands *on the other part, in purſuance of the Treaty of Peace concluded the 5th of* April 1654. *concerning certain Ships and Effects of the* Engliſh, *that were ſeiz'd and detain'd in the Dominions of the King of* Denmark, *ever ſince the 18th of* May 1652. *Done at* London *the 31ſt of* July 1654.

WHEREAS by the Peace lately concluded between his Highneſs the Lord Protector on the one part, and the Lords the States General on the other, it is ſtipulated in the 28th Article as follows, *viz.*

'That whereas the Ships and Effects of certain *Engliſhmen* have been ſeiz'd and detain'd in the Dominions of the King of *Denmark*, ſince the 18th day of *May* 1652. 'tis ſtipulated, agreed and concluded on both ſides, and the States General have oblig'd themſelves, and do oblige themſelves by theſe Preſents, that all and ſingular the Ships and Goods detain'd as aforeſaid, and hitherto remaining in Specie, together with the true and juſt Value of thoſe that have been ſold, embezzeled, or otherwiſe diſpos'd of, ſhall be reſtor'd within a fortnight after the Arrival of the Merchants and Mariners whom it concerns, or their Attorneys impower'd to receive

'ceive them; and the Loſſes alſo which have accrued to the *Engliſh* aforeſaid, by the Detainer thereof, ſhall be made good, according to an Appraiſement to be made by *Edward Winſlow*, *James Ruſſell*, *John Bex* and *William Vander Cryſſen*, Arbitrators indifferently choſen, as well on the part of his Highneſs, as of the ſaid States General, (the Form or Inſtrument of whoſe Arbitration is already agreed on) to examine and determine the Demands of the Merchants, Maſters and Owners, to whom the ſaid Ships, Effects, and Loſſes appertain. Which ſaid Arbitrators ſhall meet in that call'd *Goldſmiths-Hall* here in *London*, on the 27th of *June* next, *O. S.* or ſooner, if poſſible, and ſhall take a ſolemn Oath on the ſame Day before the Judges of the High Court of Admiralty of *England*, that they will renounce all manner of Reſpect and Relation to either State, and the Profit of every private Perſon. And moreover, that the Arbitrators ſhall, after the firſt day of *Auguſt* next enſuing, unleſs they agree beforehand, be ſhut up in a Room ſeparate from all other Perſons, without Fire, Candle, Meat, Drink, or other Support, till they have agreed of the Matters aforeſaid to them refer'd. Which Sentence or Award by them given, ſhall bind and oblige both Parties. And the States General of the *United Provinces* firmly bind and oblige themſelves by theſe Preſents to perform the ſame, and to pay the Sum of Money which ſhall be awarded by the ſaid Arbitrators here at *London*, for the uſe of the ſaid Owners, to ſuch Perſon or Perſons as his Highneſs ſhall name, within twenty five Days after the Award ſo given. And the States General within two Days after the mutual Exchange of the Inſtruments for ratifying the Articles of the Peace, ſhall pay the Sum of five thouſand Pounds *Engliſh* here at *London*, towards the Expences to be incurr'd by the Merchants, Maſters or Owners in their Voyage to *Denmark*, and the Sum of 20000 Rix-dollars to ſuch Perſons as his Highneſs ſhall nominate, within ſix Days after thoſe Perſons ſhall arrive there, for the uſe of the Merchants, Maſters and Owners, for repairing and fiting out their Ships for their Return. Which ſaid Sums ſhall be in part of Payment of the Sum which ſhall be contain'd in the Award of the ſaid Arbitrators. And that a Bond and Security ſhall be given (the Form of which Bond is already agreed on) by ſufficient Men able to an-

'ſwer it, and living here in *London*, obliging themſelves in the Sum of 140000 Pounds *Engliſh* Money (the Original of which Bond ſhall be deliver'd at the ſame time with the Inſtrument of the Ratification) to make Reſtitution as aforeſaid, and to pay as well the twenty thouſand Rix-dollars, as the other Sums which ſhall be awarded as aforeſaid. And if all or any of the Conditions abovemention'd are not effectually and really perform'd, in the time and manner preſcrib'd, then the Penalty of the ſaid Bond ſhall be demanded, and the ſaid Sum of 140000 Pounds *Engliſh* Money ſhall be paid to the Perſon or Perſons to be nominated by his Highneſs, and the Loſſes of the Merchants, Mariners, and Owners, made good out of it.'

Which ſaid Article his Serene Highneſs the abovemention'd Lord Protector, by virtue of his Commiſſion dated the 19th of *April* laſt at *Weſtminſter*, under the Great Seal of the Republick of *England*, and the foremention'd Lords the States General, by virtue of their Commiſſion dated the 22d of the ſaid Month at the *Hague*, under their Great Seal, have ratify'd and confirm'd, and are reſpectively contented and ſatisfy'd, and have agreed, to maintain all and every Part and Clauſe according to the nature and propriety of Contracts eſtabliſh'd between Princes and Sovereign Powers, and to obſerve and accompliſh the ſame, truly and faithfully, in all its Branches, without any Excuſe, Exception, or Pretext, which might be alledg'd for want of the uſual Formalities, and without having recourſe to thoſe Subtleties and Punctilios, which are required by Law, but are hereby renounc'd on both ſides, in order to make this Article effectual, according to the true intent and meaning of it.

Moreover, his Highneſs the Lord Protector on his part, and the Lords the States General on theirs, have with one accord nominated and appointed, and do by virtue of their foreſaid Commiſſion nominate and appoint us, *Edward Winſlow*, *James Ruſſel*, *John Bex*, and *William van der Cruyſen*, their Arbitrators, Commiſſioners, and Judges, fully authoriz'd (which we accept) to hear, examine, and by all ways and means poſſible, to determine and pronounce the Award, concerning all and every Grievance and Pretenſion, of all and ſingular the Merchants, Gentlemen and others, on account of any Ships, Rigging, Apparel,

Apparel, Proviſions, Goods and Merchandize, and all things elſe under any Denomination whatſoever, belonging to any Subject of *England*, *Scotland* and *Ireland*, or the Dominions thereof, which have been ſeiz'd, detain'd or ſequeſter'd, in any of the Dominions of the King of *Denmark*, ſince the 18th of *May* 1652. whereof mention has been made in Memorials ſeal'd up, and deliver'd by the Merchants in *March* 1653. and in the Year 1654.

Next, in purſuance of the ſaid Commiſſions granted to us by his ſaid Serene Highneſs, and the Lords the States General, we are to aſſemble on the 27th of *June* next, O. S. in *Goldſmiths Hall* aforeſaid, and take our ſolemn Oaths, all and every one of us in particular, to hear, examine and determine what is beforemention'd, or any matters thereto belonging, which may have a Reference to either of the two Nations, in purſuance of the Power given us by the ſaid Commiſſions, without Partiality, Favour, and Affection on either ſide; and alſo to renounce all private Views and Intereſts, which might hinder us from finding the Truth, and from coming to a ſummary Concluſion; to proceed impartially, to compare jointly the Intereſts and Damages of all and every Claimant: To which purpoſe, the Judges of the High Court of Admiralty, by virtue of a Commiſſion granted to them by the Lord Protector, are authoriſed and appointed to adminiſter the ſaid Oath to us, on the 27th of *June*, in *Goldſmiths Hall:* After the Adminiſtration of which Oath, we are fully impower'd to inquire into and examine all the Heads of Grievances and Pretenſions, which ſhall appear to be repreſented by the Subjects of the Republick of *England*, *Scotland*, and *Ireland*, on account of any Veſſel whatſoever, and of all ſorts of Merchandize, Goods, or any thing which happen'd to be detain'd, in the manner aforeſaid. Therefore as we ſhall jointly and ſeverally judge, and find what might be produc'd in exception by the contrary Party on Oath, or without Oath, by Inſtruments, Documents, or other Proofs, for any Abatement or Payment, we ſhall be capable to examine, and find out the Truth of all and every one of the ſaid Grievances and Claims, the real Value of the ſaid Ships, Rigging, and every thing to them belonging, the Freight, Proviſions, Merchandizes, Goods, *&c.* as alſo all and every Damage occaſion'd by the Loſs which the ſaid Ships and Freights ſuſtain'd, by reaſon of the Detainer. We are moreover authoriz'd and impower'd to

proceed to a Liquidation, and Taxation of all ſuch Damages ſuſtain'd, and to give an impartial Eſtimate, and to pronounce Judgment, and to publiſh the ſame under our Hands, as we ſhall think meet and juſt; which Sentence, after it has by us been pronounc'd and publiſh'd, ſhall not be ſubject on either ſide, to any farther Reviſion, Appeal, or Reclamation.

Accordingly, the ſaid Lords the States General, by virtue of their Commiſſion, bound and oblig'd themſelves to conform effectually to our ſaid Sentence, and to pay ſuch Sum of Money as ſhould be demonſtrated by us, to be an Equivalent for the ſaid Loſs, within twenty five days after our ſaid final Sentence was declar'd and publiſh'd. In like manner, we the Commiſſioners are fully impower'd and deſir'd, to aſſemble at *Goldſmiths Hall* aforeſaid for the purpoſe abovemention'd, and after our firſt Meeting, which was to be on the 27th of *June*, not to omit any Day, except the Lord's Day, (commonly call'd Sunday) in order to proceed in the Affair aforeſaid, but eſpecially not to defer the matters recommended to us, but to carry them to a final Reſolution and certain Judgment, or elſe to break off abruptly. It was furthermore concluded between the Commiſſioners on the part of the Lord Protector, and thoſe of the States General, that in caſe we ſhould not agree to come to a final Judgment and Declaration in the matters herein expreſs'd before the firſt of *Auguſt* next enſuing, we ſhould be lock'd up in a Room at *Goldſmiths Hall*, without Fire, Candle, Victuals or Drink, or any Suſtenance, from the ſaid firſt of *Auguſt*, till ſuch time as we ſhould agree to pronounce Sentence upon the aforeſaid matters, and to publiſh the ſame under our Hands and Seals; which Confinement ſhall not render our Award leſs binding, than if the Sentence had been given before it, in order to confirm all thoſe Intentions, Conſtructions, and Meanings, which the ſaid Commiſſioners might form more at large.

In conformity to what is above, be it known by theſe Preſents, that we the aforeſaid *Edward Winſlow*, *James Ruſſel*, *John Bex*, and *William van der Cruyſen*, out of an humble Obedience to the ſaid Article, and to the Commiſſions therein contain'd, by virtue of the Authority, full Power and Direction given to us, aſſembled in *Goldſmiths Hall*, and took our ſolemn Oath before the Commiſſioners of the High Court of Admiralty of *England*,

in

in ſuch form and manner, as is expreſs'd and directed in the ſaid Article, to be done by us the ſaid Commiſſioners; and that thereupon we have receiv'd, heard, and examin'd all and ſingular the Grievances and Claims, of all and every the Merchants, Gentlemen, Maſters of Ships, Owners, and all ſuch Perſons, Subjects of the Republick of *England*, *Scotland*, and *Ireland*, as are concern'd in the ſaid Ships, Rigging, Proviſions, Merchandize, Goods, and other things aſſign'd and belonging to them, which have been ſeiz'd, and detain'd in the Lands and Dominions of the King of *Denmark* ſince the 18th of *May*, 1652. and whereof mention was made in the Memorials and Writings deliver'd by the Merchants concern'd in *March* 1653, and 1654. and exhibited to us, of Ships and all ſorts of Merchandize, Goods, or any other things ſeiz'd and detain'd as aforeſaid, and alſo of all thoſe things which were in general or particular produc'd on the other ſide, either by way of Defence, or in Abatement, and Payment of the ſaid Grievances and Claims, together with the Proofs of all and ſingular the ſaid Grievances and Claims, as likewiſe of the right and true Value of all ſuch Ships, Rigging, Appurtenances, Freight, Proviſions, Merchandize, Goods, and Damages, occaſion'd as well by the ſaid Seizure and Detainer, as by the Loſs and Detriment of the ſaid Goods and Merchandize, or by any other means, by Oath, and by ſuch Inſtruments, Documents, and other Proofs as we found, and judg'd neceſſary and equitable; We examin'd, and after mature Deliberation of every thing before us, compar'd one thing with another, clear'd up and tax'd, and at length determin'd, and particularly declar'd and pronounc'd all and ſingular the Damages aforeſaid: Accordingly we the beforenam'd *Edward Winſlow*, *James Ruſſel*, *John Bex*, and *William van der Cruyſen*, by virtue of the Authority, full Power and Direction given to us in and by the aforeſaid Article and Commiſſions, and for accompliſhing what is thereby underſtood, do by theſe Preſents under our Hand and Seal, determine, decide, and finally pronounce, that the Damages ſo often mention'd amount to 97973 Pounds and Ten Pence, lawful Money of *England*, as we do hereby liquidate and tax the Damages juſt now mention'd to be 97973 Pounds and Ten Pence, lawful *Engliſh* Money: And we do moreover decide and pronounce, that

the ſaid Lords the States General ſhall pay, or cauſe to be pay'd, the ſaid Sum of 97973 Pounds and Ten Pence, lawful *Engliſh* Money, in *London*, for the uſe of the reſpective Owners, to ſuch Perſon or Perſons as his Highneſs the Lord Protector ſhall appoint, within twenty five Days after this our Award.

In Witneſs whereof we the aforenam'd *Edward Winſlow*, *James Ruſſel*, *John Bex*, and *William van der Cruyſen*, have to the Purpoſe aforeſaid, hereunto ſet our Hands and Seals, in *Goldſmiths Hall* aforeſaid, the 31ſt of *July*, according to the uſual *Engliſh* Calculation, *Anno* 1654.

Indorſe.

N. B. That we the Commiſſioners mention'd in this Inſtrument do find, that the Sum of 5000 *l. Sterling*, and 20000 *Rixdollars*, amounting together to the Sum of 10000 *l. Sterling*, is paid; which according to the Tenor of the twenty eighth Article of the Treaty of Peace, is to be reckon'd in part of Payment of the Sum by us declar'd, as within mention'd. In witneſs whereof we have ſet our Hands, the Day and Year within ſpecify'd.

A Regulation made and paſs'd the 30th of Auguſt, 1654. *by the Commiſſioners nominated on both ſides, concerning the Loſſes and Damages ſuſtain'd, as well on the part of the* Engliſh Eaſt *and* Weſt-India *Companys, and others, as on the part of the* Eaſt *and* Weſt-India *Companys of the* United Provinces, *&c. purſuant to the Treaty of Peace between* England *and the* United Provinces, *in the Year* 1654.

WE *John Exton, William Turner, William Thompſon, Thomas Kendal, Adrian van Aelmonde, Chriſtian van Rodenburgh, Lewis Houwen,* and *James Oyſel,* To all who ſhall ſee theſe Preſents, and to all whom the underwritten do or may concern, Greeting. Whereas by the 30th Article of the Treaty lately concluded and enter'd into, between the moſt High Lord Protector of the Republick of *England, Scotland,* and *Ireland,* and the Dominions thereof, *&c.* and the High and Mighty Lords the States General of the *United Netherlands,* it was ſtipulated, 'That four Commiſſioners 'ſhall be nam'd on both ſides, at the time of exchanging 'the Ratifications, to meet here at *London,* on the 18th 'of *May* next, according to the *Engliſh* Style; who, at 'the ſame time, ſhall be inſtructed and authorized, as 'they are inſtructed and authorized by theſe Preſents, to 'examine and diſtinguiſh all thoſe Loſſes and Injurys in 'the Year 1611. and after to the 18th of *May,* 1652. 'according to the *Engliſh* Style, as well in the *Eaſt Indies,* as in *Greenland, Muſcovy, Braſil,* or wherever

'elſe either Party complains of having ſuffer'd them 'from the other. And the Particulars of all thoſe Injurys 'and Damages ſhall be exhibited to the ſaid Commiſſion-'ers ſo nominated, before the aforeſaid 18th day of '*May*, with this Reſtriction, that no new ones ſhall 'be admitted after that Day.' And the moſt High Lord Protector abovemention'd, and the moſt High and Mighty the States General of the *United Netherlands*, agreed on both ſides afterwards, that the Meeting of the ſaid Commiſſioners ſhou'd be deferr'd to the thirtieth day of *May*; and being mutually deſirous that the Things premiſed in the ſaid Article might have their due Effect, did nominate and appoint us aforeſaid, their Commiſſioners for the Examination and Determination of the Premiſes, with full, entire, abſolute, and irrevocable Powers, *viz.* the aforeſaid Lord Protector, for his part, appointed the aforeſaid *John Exton*, *William Turner*, *William Thompſon*, and *Thomas Kendall*; and the aforeſaid Lords the States General, in like manner, on their part, nominated *Adrian van Aelmonde*, *Chriſtian van Rodenburgh*, *Lewis Houwen*, and *James Oyſel*. And whereas the ſaid Lord Protector, and the Lords the States General aforeſaid, gave and granted to us the aforeſaid *John Exton*, *William Turner*, *William Thompſon*, *Thomas Kendall*, *Adrian van Aelmonde*, *Chriſtian van Rodenburgh*, *Lewis Houwen*, and *James Oyſel*, full and entire Power and Authority, to examine and determine all thoſe Injurys which either Party complains of having receiv'd from the other, from the Year 1611, to the 18th day of *May*, 1652. as well in the *Eaſt Indies*, as in *Greenland*, *Muſcovy*, *Braſil*, or any other Country. And whereas it was their Pleaſure, that we the aforeſaid Commiſſioners ſhou'd be fully and wholly impower'd to hear and examine all Inſtructions and Informations, of and concerning the Premiſes, and all and either of them, and to admit of all Documents, and Inſtruments of Proof whatſoever, as alſo Perſons and Witneſſes, both *viva voce*, and otherwiſe, as it ſhall be thought good, and in general freely to do and diſpatch all and every Thing and Things, which ſhall be neceſſary, in or about the Premiſes, according to ſolid Diſcretion, for the better diſcovery of the Truth, ſummarily, plainly, and without the Noiſe and Form of Judgment. And whereas they gave and granted to us the Commiſſioners ſo choſen, full, entire, and abſolute Government and Arbi-

Arbitration, Power and Authority, to diſcuſs, decide, and adjudge all and ſingular Injurys and Loſſes whatſoever, and (all Appeal and Reviſion whatſoever being entirely remov'd and ſet aſide) as ſhou'd ſeem to us the aboveſaid Commiſſioners conſiſtent with Equity and Reaſon, finally to determine, liquidate, declare, and eſtimate the Loſſes on both ſides, and order, decree, and award real Reparation, Reſtitution, and Payment to be made for the reſpective Loſſes ſo liquidated and eſtimated, at convenient and ſeaſonable Times and Places, and to proceed in the whole Buſineſs aforeſaid, fully, entirely, and finally, according to abſolute Arbitration, within the Space of three Months, to be computed ſucceſſively from the 30th of *May*, in ſuch manner, that whatſoever We the Commiſſioners aforeſaid ſhould determine, within the three Months aforeſaid, ſhou'd fully and abſolutely bind both Partys; and both the Lord Protector for his part, and that of the *Engliſh*, and the Lords the States General of the *United Netherlands* for their own part, and that of the People of the *United Provinces*, were to take care that they cauſed all and ſingular the Things which ſhould be order'd and awarded by us the ſaid Commiſſioners, within the ſaid three Months, in all and every one of the Premiſes, to be obſerv'd, as is to be ſeen more at large from the very Inſtruments of the Commiſſion. We therefore *John Exton*, *William Turner*, *William Thompſon*, *Thomas Kendall*, *Adrian van Aelmonde*, *Chriſtian van Rodenburg*, *Lewis Houwen*, and *James Oyſel*, meeting here at *London*, on the 30th of *May*, by virtue of the Commiſſion granted to us, did receive, within the Term prefix'd, the Complaints of Injurys and Loſſes which the *Engliſh* Society exerciſing Commerce in the *Eaſt Indies*, alledg'd and complain'd they have receiv'd from the *Eaſt India* Company of the *United Netherlands*, and which, *vice verſa*, the ſaid *India* Company of the *Netherlands* complain'd of having receiv'd from the ſaid *Engliſh* Company exerciſing Traffick in the *Indies*, as we have here caus'd them to be inſerted *verbatim*.

A Complaint, or certain Schedule of Losses, which the Merchants of the Engliſh *Company trading to the* East Indies *have ſuſtain'd in the ſaid* Indies, *and the* South Sea, *from the Merchants of the* Dutch *Company trading in the* Indies *aforeſaid, for which Reparation is requir'd on the part of the foreſaid Merchants of the* Engliſh *Company, before the Lords Commiſſioners of both Nations.*

FIRST, we deſire Reparation of the particular Loſſes included in the fifteen Articles following, which are calculated at 48900 *l.* 15 *s. Sterling.*

I. On the 20th of *March* 1621. That the *Dutch* Merchants at the *Molucca Iſlands*, *Amboina* and *Banda*, in the very firſt Year that we were Partners of the Expence with them in that Trade, put down the following Coſts to the Accompt, after the Rate of one Third of our Trade, *viz.* the Expences laid out on the Ships, Gallihorne, and Tingans, on the Schools, Lodgings, Gifts, and other extraordinary matters (to which we are by no means oblig'd to contribute.) And while we advanc'd our Quota, after the rate of one third towards the Pay of the Soldiers in ready Money, they paid them in Clothing of an unreaſonable Price; upon which Accounts we paid that Year 40000 *Reals of Eight*, over and above our third Share of the general Expences.

II. *March* 20, 1621. That on the part of the *Engliſh* 24650 *Reals* have been paid, for their Third Share in the Building and Repair of Caſtles at the *Molucca Iſlands*, *Banda*, and *Amboina*, in which Places we were but one Year in poſſeſſion of the Trade, whereas the ſaid Repairs wou'd hold good for ſeveral Years, ſo that at leaſt three fourths of the ſaid *Reals* amounting to 18488 *Reals of Eight*, ought to be refunded.

III. *March* 20, 1621. That the *Dutch* Merchants exacted 1106 *Reals of Eight*, and compell'd the *Engliſh* in the *Molucca Iſlands*, and *Amboina*, to pay the ſame, quite

quite contrary to the Treatys and Conventions, under pretence of paying Custom for Cloves.

IV. *March* 20, 1622. We paid at the *Molucca Islands*, and *Amboina*, 36965 *Reals of Eight* to the said *Dutch* Merchants, to be reckon'd towards the Expences of the Spices of the second Year, expecting to be Sharers with them in the Trade of those Islands; but the Injurys and Robberys committed upon us daily by the *Dutch*, made us at first anxious and sollicitous about the aforesaid Trade; and at length the *inhuman Cruelty's* with which they treated our Nation, first at *Poleron*, and then at *Amboina*, *wholly drove us out of the said Trade*: wherefore we desire Restitution of the aforesaid *Reals*, for which we have not yet obtain'd Satisfaction.

V. The said *English* Company in the said first Year laid out 23507 *Reals of Eight*, in domestick Expences, general Charges, Rents of Houses, Gifts, and Cost of Merchandize in the *Molucca Islands*, *Banda*, and *Amboina*; two thirds of which are to be refunded by the *Dutch* Company, amounting to 15671 *Reals of Eight*.

VI. *August* 26, 1622. By the Devastation and Depopulation of the Island of *Poleron*, the *English* lost in Debts, for which *Oran Kayenses* and other Natives were bound, to the value of 5725 *Reals of Eight*.

VII. The *Dutch* took and carry'd away by Violence 21 Slaves from the Castle of *Neilac*, situate in the Isle of *Poleron*, who were lawfully in the possession of the *English*, and are valued at 2100 *Reals of Eight*.

VIII. They also detain'd from us one third part of four hundred Slaves, and other Goods, taken in lawful War by those very Ships for which they had settled a Price beforehand, and forc'd us to pay it. Now the third part of the said Slaves, according to their own Appraisement, comes to 9975 *Reals*, which with the third part of the aforesaid Vessels, valued at 1000 *Reals*, amounts to 10975 *Reals of Eight*.

IX. In *September* 1622. the *Dutch Fiscal* took away by Force certain Goods out of the *English* Warehouses at *Jacatra*, to the value of 16182 *Reals of Eight*, in Execution of an unjust Sentence given on the part of certain *Chinese*, notwithstanding the Appeal made by our Consul to *Europe*, according to the Form of the Convention.

X. *February* 20, 1622. *viz.* At the same time when they committed *that inhuman Massacre* of our Countymen

men at *Amboina*, they took away 30058 *Reals of Eight* from the *Engliſh*.

XI. *February* 20, 1622. That they expell'd the *Engliſh* from their Dwelling-Houſes, Warehouſes, and other Edifices in the *Molucca Iſlands* and *Banda*, in the building of which they had laid out 4266 *Reals*.

XII. That they had compell'd the *Engliſh* in *Jacatra*, to pay Cuſtoms and other Taxes contrary to Treatys, to the value of 4777 *Reals of Eight*.

XIII. About the beginning of *April* 1627. The *Dutch Fiſcal* took away by Force a Sum of Money to the value of 7242 *Reals*, out of the Warehouſes of the *Engliſh* at *Jacatra*, in *Japan*, in execution of an unjuſt Sentence on the part of *John Mary Moret* an *Italian*.

XIV. That they compell'd our Commiſſary, or Agent, *Richard Welden*, to pay 50 *Reals* at *Banda*, for ſetting one *Danckes* at Liberty, whom they had almoſt ſtarv'd to Death in Priſon.

XV. Moreover, the Governor having ſpent 200 Barrels of Powder in the Diſcharges he caus'd to be made of the Guns by way of Oſtentation at certain Entertainments, they compell'd our ſaid Agent to pay one third of the Expence at the rate of 30 *Reals* for each Barrel, which amounts in the whole to 2000 *Reals*.

Secondly, We demand Satisfaction for the Fruits of the Iſland *Poleron*, which us'd to produce annually 228000 *lib.* weight of Nutmegs, and about 60000 *lib.* weight of Mace; of which the one third due to the *Engliſh* (reckoning every pound of Nutmegs at 12 *d.* and every pound of Mace at 2 *s.*) brought in 5966 *l.* 13 *s.* 4 *d.* a Year; which if repeated for eighteen Years, *viz.* to the Year 1639, according to Agreement, amounts to 107390 *l. Sterling*.

Thirdly, We demand Satisfaction for all the Fruits whatſoever of the ſaid Iſland *Poleron*, for the laſt fifteen Years elapſed, ſince the Year 1639, when they were to come to the *Engliſh* alone, to this preſent Year 1654. Which Fruits, ſuppoſing the Produce to be in proportion as aforeſaid, *viz.* of 228000 *lib.* weight of Nutmegs, and 60000 *lib.* of Mace, yield 17900 pounds a Year, and for the fifteen Years 268500 pounds.

Fourthly, We demand that the Iſland *Poleron*, which manifeſtly and rightfully belongs to the *Engliſh*, both by Conſent and by Stipulations made in the Convention in the Year 1619, may be reſtor'd to us, and deliver'd

deliver'd up to us in the ſame State as it was when we were expell'd from it.

Fifthly, We demand Satisfaction for the Fruits of the Iſland *Loutor*, which, as will manifeſtly appear by the Depoſitions of ſeveral Witneſſes, has produced 500000 *lib.* weight of Nutmegs, and 200000 *lib.* weight of Mace, *per Ann.* the third part of which coming to the *Engliſh* (reckoning a pound of Nutmegs at 12 *d.* and a pound of Mace at 2 *s.* as aforeſaid) yields 15000 *l.* a Year, and 270000 *l.* for eighteen Years.

Sixthly, We demand Satisfaction for all the Fruits whatſoever of the ſaid Iſland of *Loutor*, appertaining to the *Engliſh* alone, and gather'd for fifteen Years laſt paſt; which, according to the Rates of the Nutmegs and Mace abovemention'd, bring in 15000 *l.* a Year, and from the Year 1639 to 1654, amount to 675000 *l.*

Seventhly, We demand Reſtitution of the Iſland *Loutor* abovemention'd, belonging ſolely to the *Engliſh*, who were actually and rightfully poſſeſs'd of it in the Year 1620, at the very time when the Articles of Confederacy and Peace were firſt concluded in thoſe Parts of the *Indies*, and who, 'tis no leſs true, were afterwards forcibly expell'd from that Poſſeſſion by the *Dutch*.

Eighthly, According to the Articles of the Convention, we demand Satisfaction for the Thirds of all the Spice-Iſlands whatſoever, which have been poſſeſs'd by the *Dutch* from the Year 1621 to 1639, *viz.* within theſe eighteen Years; the thirds of which Iſlands, after reckoning the Expences, we compute worth 25000 *l.* a Year; ſo that our Share in eighteen Years time, amounts to 450000 *l.*

Ninthly, We demand Satisfaction for all the Merchandize and Proviſions, partly taken from us, and partly by us deliver'd to the Commiſſioners of the *Dutch* Company trading in the *Indies*, or to any of their Ships whatſoever, going out or returning, to the value of 12000 *Reals of Eight*, or 3000 *l. Sterling*.

Tenthly, We demand Satisfaction for one Moiety of the Cuſtoms of *Perſia*, due to us ſince the year 1624 for the *Dutch* Merchandize, by virtue of a Treaty betwixt us and the King of *Perſia*; which Moiety over and above the yearly value of 4000 *l.* we are ſure has been ſpent, and which for 30 Years, to the preſent Year, *viz.* 1654, makes 120000 *l.*

Eleventhly,

Eleventhly, We demand Reparation of the Loſs of our Dwelling-Houſes, Warehouſes, Merchandize and Proviſions, which were fraudulently and wickedly conſum'd by Fire at *Jacatra* in the Year 1628, the *Dutch* Governor in that Place giving the Occaſion, as has been prov'd by ſolemn Proteſtations. The foreſaid Loſſes are computed at 200000 *Reals of Eight*, which amount to 50000 *l. Sterling.*

Twelfthly, We demand Reparation of the Loſſes which we ſuſtain'd from the *Dutch*, ſince they deny'd us free Paſſage to *Bantam*; from which time, for ſix Years, we have been altogether hinder'd from that Trade, and conſequently from laying out 600000 *Reals of Eight* in the Purchaſe of Pepper, according to our Proportion; which Pepper, if it had been bought, wou'd have ſerv'd to load our Ships for another Market, while for want of Cargoes of Merchandize they lay in the *Indies* without any Motion, and were worm-eaten; during which our Money and Proviſions were ſpent, in the Seamens Wages and daily Allowance; ſo that the Loſſes aforeſaid cannot be reckon'd at leſs than 2 Millions of *Reals*, or 600000 *l. Sterling.*

Thirteenthly, We demand that 102959. *Reals of Eight* may be refunded to us, being the Sum of Money taken from our Countrymen at *Surat* by the Subjects of *Mogul*, who were ſo protected by the *Dutch*, that we were not able to make Repriſals upon their Perſons or Goods, either in Galleys or Ships; which nevertheleſs might have eaſily been attempted and done, had not the *Dutch with the greateſt Injury to us*, given Shelter to thoſe Pyrates; and which Sum of Money, if it had not been taken from us as aforeſaid, had long ago produc'd us in *Europe*, one third Profit: wherefore we compute thoſe Loſſes at 77200 *l. Sterling.*

Fourteenthly, We demand the Reſtitution of a quantity of Pepper taken by the *Dutch* in the year 1649, out of the Ship call'd *Endymion Pandongha* near *Sumatra*; the Loſs we have ſuſtain'd on that account is computed at 6000 *l.*

Fifteenthly, We demand Satisfaction for the Loſſes we have ſuſtained ſince the Year 1649, in the Price of Pepper, which we have been compell'd to buy at a greater Rate in other places than that Commodity us'd to be ſold for on the Coaſts of *Sumatra*; which Trade the *Dutch*

have by violence hinder'd our Ships from carrying on in thoſe parts. The Loſs ariſing from thence is calculated at 20000 *l. Sterling.*

The Total Sum of the aforeſaid Demands, excluſive of the Iſlands of *Poleron* and *Loutor*, amounts to two Millions, ſix Hundred ninety five Thouſand, nine hundred and ninety nine Pounds, fifteen Shillings *Sterling.*

And the Intereſt thereof, if computed to this time, will amount to a far greater Sum.

Moreover, ſince the *Engliſh* often touch at the Cape of *Good Hope* with their Ships, and, as in the Reign of *James*, late King of *Great Britain*, they took ſolemn Poſſeſſion of thoſe Lands, and caus'd a Rampart to be caſt up, call'd *James's Mount*, on which they planted the *Engliſh* Colours, We demand that the Inheritance of thoſe Territorys may always remain in the Power of the *Engliſh*, and that it may be free for them, not only to carry Colonys thither, to raiſe Fortifications there, and to lay in Proviſions, but to trade from thence to any other parts whatſoever, as well of the *Indies*, as in the *South Sea*, and *Eaſtern* Parts, with the ſame Liberty as they were ever enjoy'd ſince that Trade began, and uſe and enjoy the ſame Privileges in all places of thoſe parts, as are us'd and enjoy'd by the *United Netherlands.*

The aforeſaid Merchants of the *Engliſh* Company trading to the *Indies*, demand Satisfaction for four Ships illegally taken in the Gulph of *Perſia*, about the Month of *February*, 1652; which, altho it was a Fact committed without the Time limited by the Articles ſtipulated concerning Reſtitution, yet we humbly conceive, that becauſe the ſaid Ships were taken by private Perſons, without any Authority or Pretence of a Commiſſion intervening, we ought therefore to have Satisfaction, according to the Loſs, which amounts to 100000 *l. Sterling.*

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The Demand of the Dutch East India *Company, who affirm it to be a juſt Claim of the Moneys which they expect as Satisfaction from the* Engliſh *Company.*

I. FIRST, for the Expences to which the *Dutch* Company contributed over and above their Quota, by reaſon of a Deficiency on the part of the *Engliſh* during ſeventeen Years, (on the expiration of the Treaty which was made between both Companys in 1619) which amounts for the proportion of the *Engliſh*, to 510000 *l. Engliſh* Money.

II. For one half of the Expence paid for the *Engliſh* in the Defence of *Fort Gueldres* in *Paleacate*, after they had omitted to contrribute any more, from the Year 1622 to the Year 1639, (the Treaty of 1619 then expiring) the ſaid Moiety whereof paid for the *Engliſh*, makes at leaſt 21250 *l. Engliſh* Money.

III. The Sum of 26339 *l.* 3 *s.* 6 *d. Engliſh* Money, is demanded for half of the Charges which the *Dutch* Company paid for the *Engliſh* Company at the Siege of *Bantam*, after the Month of *Auguſt* 1621, when they had left off paying their Quota, till the Month of *October* 1627. To all which we might add, the ſpoiling of the Ships, Sails, Anchors, Cables, and Gunpowder, Lead, Fire-Arms, and other Neceſſaries for War, wore out and waſted within that Term, in the Buſineſs of both Companys, by the Ships and their Boats, beſides the Loſs which the *Dutch* Company ſuffer'd in their Trade, becauſe they were oblig'd to detain their Ships at ſuch Sieges, and for that reaſon to omit ſeveral profitable Expeditions: all which things, if duly inſpected, wou'd amount to a great Sum of Money; not to reckon the Repair and Purchaſe of the Boats commonly call'd *Tingans*, and of other ſmall Veſſels, from the firſt of *September* 1622 (when the laſt Account was caſt up) to the firſt of *September* 1627, being Five Years, and reckoning for each Year at leaſt 500 *l. Engliſh* Money.

IV. For half the Value of the Ship *Hert* of 250 Tons Burthen, which was loſt in the joint Expedition to *Moſambique*, in purſuing and overtaking the Enemy, va-

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lued, according to the Appraiſement of the Chamber on the part of the *Engliſh* at 1022 *l. Engliſh* Money.

V. For the third part of the Sums laid out in the *Moluccas*, *Amboina*, and *Banda*, after *February* 1622, from which time the *Engliſh* left off paying their Quota in thoſe Parts, till the Expiration of the Treaty in the Year 1639, being ſeventeen Years, each requiring the Contribution of 30000 *l. Engliſh* Money, or thereabouts, for the third part of the *Engliſh*; which Sums computed will amount to 510000 *l. Engliſh* Money.

VI. For the Loſs which the *Dutch* Company ſuffer'd by the ſeizing and detaining of three of their Ships in the Harbour of *Portſmouth*, which were bound with their Lading from *Surat*; which Loſs is computed at leaſt at 100000 *l. Engliſh* Money.

VII. For the half Share of the Loſs which accrued from the Want of the Pepper Trade to *Bantam*, during the ſpace of ſix Years, in which they compute their Loſs to have been as great as the *Engliſh*, have reckoned theirs to be in their Demand, *viz.* 600000 *l. Engliſh* Money.

VIII. For the extraordinary and continual heavy Charges which the *Dutch India* Company has born in the annual Equipment of Ships and Convoys for the Safety of the Merchant-men in their Return from the *Indies* by the *North Sea*; which Expences have not been leſs than 10000 *l. Engliſh per Ann.* and for the Term of twenty Years muſt be computed at the Sum of 200000 *l. Engliſh.*

And moreover for three Months Wages which the Ships Companys that return'd with thoſe Merchant-men from the *Indies* by the *North Sea* receiv'd, beſides their ordinary Pay, as a Premium by reaſon of the difficult Sailing in thoſe *Seas*, and which is continued to this very Day, and amounts to no leſs than 5000 *l. Engliſh per Ann.* and for the Term of twenty Years to 100000 *l. Engliſh.*

IX. For Proviſion and other Neceſſarys for Voyages, which the *Dutch India* Company's Agents lent to the *Engliſh India* Company in their Paſſage to and from *India*, and during their ſtay there; of all which they are ready to give in an Accompt.

X. For the Pay and Suſtenance of the Soldiers brought by the *Dutch* Company out of the *Netherlands* for ſupplying the Gariſons in the *Moluccas*, *Amboina*, and

Banda, and carry'd back from thence to the *Netherlands*, towards which the *Engliſh* Company by order of the Chamber ſhou'd have contributed one third; of all which an exacter Account may be given.

The Wages of the Crews of the Pinnaces call'd *Pera*, *Arnheim* and *Surat*, and the other Charges; as alſo the Damages of thoſe Ships, and the Price of the Ship nam'd *Correcorre*, together with the Coſts of a certain Pink call'd *Haeg*, which were employ'd in the Service of the Joint-Trade near *Amboina*, are to be put down to the account of the Year 1621, which the *Engliſh* ought to have paid as well as other Expences; concerning which proper Intimation has been given to the *Engliſh* Company's Agents in *India*: all which Particulars are capable of being more exactly calculated.

Theſe ſeveral Sums added together and caſt up, make in the Total *two Millions, ſixty nine thouſand, eight hundred ſixty one Pounds, three Shillings, and ſix Pence*, Engliſh Sterling; beſides Uſe and Intereſt, and many other things that deſerve a more ample Deduction, for which the *Dutch* Company demands juſt Reſtitution, real and full Satisfaction; not reckoning the great Loſſes and Delays which they have ſuffer'd for no other reaſon but the Deficiency of the *Engliſh* in not duly obſerving the beforemention'd Article, and the Hindrance of Trade by the Settlements which the *Engliſh* have cunningly gain'd all over the *Eaſt Indies*: all which Particulars are more fully calculated and expreſs'd in the Complaints of the *Dutch* Company deliver'd by their Deputys to the *Engliſh* Company on the 20th of *June* 1629. Over and above theſe things, the *Dutch* Company with regard to thoſe Pretenſions for which no particular Sum is demanded, and which have not been vary'd by Time, requires juſt Reſtitution and Satisfaction. All the Things reckon'd as above are brought no lower down than to the Expiration of the Treaty of the Year 1629, *viz.* to the Month of *July* in 1639. altho the *Engliſh* Company extends ſeveral of their Pretenſions in their Demand to the Years 1651 and 1652, far beyond the Expiration and Limits of the ſaid Treaty.

And becauſe the *Engliſh India* Company in ſeveral Articles of their Demands ſo deliver'd, blame the *Dutch India* Company for cruelly treating their Agents, and thereby giving Occaſion to the *Engliſh* to deſert their Habitations in the aforeſaid Places belonging to the *Dutch* Company,

the

the ſaid *Dutch* Company has been pleas'd, for the removing of theſe foul Slanders with which it is cauſeleſsly traduced, to put the *Engliſh* Company in mind of what follows, *viz.* That their Agents having (for Reaſons beſt known to themſelves) petition'd the Governor General of *Batavia* for their Diſmiſſion; Firſt, on the 16th Day of *January* 1623; again, on the 28th Day of the ſaid Month; and the third and laſt time on the 9th of *December* 1624, did on the 11th of the ſaid *December* 1624, ſet Sail with nine Ships and Pinnaces, together with all their Mariners and Merchandize, from *Batavia* to the Straits of *Sunda*, and fortify'd themſelves in the Iſland of *Lagondum*, where living miſerably for ſix months, and 400 of their Companions being dead by reaſon of the Unwholeſomneſs of the Situation, they were reduc'd to ſuch Extremity that they were oblig'd to repreſent their diſtreſſed Condition to the Governor General of the *Dutch* Company, begging his Favour both by Ambaſſadors and Epiſtles, that they might be deliver'd from that peſtilential Spot, as they ſaid, and might be allow'd to go with their ſurviving Companions to *Batavia*; as is manifeſt from two ſeveral Epiſtles of theirs ſent to the Governor General of the *Dutch* Company. To which the Governor return'd anſwer, that having conſider'd their Requeſts (as ſincere Friends ought to do by one another) he wou'd not deny them ſpeedy Aſſiſtance, which was perform'd by the ſending of a Pinnace thither firſt, call'd *Abigael*, and then a Ship nam'd the *Good Fortune*, with many Men, Proviſions, and other Neceſſaries: and a Promiſe was added that they ſhou'd be welcome to return to *Batavia* to the Habitations they had there before. Upon this the Pinnace ſail'd with forty ſick Men to *Batavia* for their Recovery, and carry'd back ſixty healthy ſtout Men; and a little after ſhe was follow'd by the ſaid Ship *Good Fortune*, and a ſmall Pink call'd *Paleacata*, which were both ſtation'd about *Bantam*, that they might be near to carry Relief to thoſe at *Lagondum*, which was done out of hand; and as ſoon as one of them arriv'd at *Batavia* with ſix other *Engliſh* Ships and Pinnaces, and the ſurviving of the Ships Companys who were for moſt part ſick, they were chearfully enough receiv'd, and carry'd to their former Settlement, to which a famous new Structure was added, and they were furniſh'd with other Neceſſaries. Of the aforeſaid ſick Men three ſoon dy'd, and the Factors of the *Dutch* Company to the number of almoſt fourſcore, were infect-

ed alſo with the ſame Diſtemper, which to many prov'd mortal: and, as the *Engliſh* themſelves own, they were reduc'd to ſuch a miſerable ſtate in *Lagondum*, that, had it not been for the Aſſiſtance aforeſaid, it was the opinion of many they wou'd all have periſh'd; for which reaſon the Preſident himſelf and the other Governors did often loudly declare, that the Aſſiſtance given to them was ſo great and unexpected, that they ſhou'd never forget it as long as they liv'd, but always remember it; and that not only their private Letters wou'd be Witneſſes of it, but a Catalogue of the Particulars wou'd be inſerted in the publick Monuments of *England*.

For which Aſſiſtance, and for the Charges which the *Dutch* Company has been liable to on this Account, the ſaid *Dutch* Company does not doubt but they ſhall receive juſt Satisfaction and Recompence from the *Engliſh* Company.

And moreover, when the Deputys of the *Dutch* Company came to the Examination of the matter in queſtion, they pleaded that the *third* Article of their Pretenſions (which treats of the Expences incur'd at the Siege of *Bantam*) ſtated only in part, without expreſſing the Sum of the Expences in general, which Sum they did then expreſs and aſſert that it roſe to 850000*l.* Sterling, and they have deſir'd that their Demand may be augmented with the ſaid Sum.

All which Complaints and Demands, exhibited to us the ſaid Commiſſioners by the Deputys of both the *Engliſh* and *Dutch* Companys expreſly choſe to this purpoſe, have been laid before us, with a great number of Documents, Inſtruments, and Proofs exhibited, as well for forming and corroborating their own Demands, as for deſtroying and refuting thoſe of the oppoſite Party; *and at length the Arbitration of all theſe Controverſies is ſubmitted to us the aforeſaid Commiſſioners by the ſaid Deputys of both Companys.*

Wherefore, We the aforeſaid *John Exton*, *William Turner*, *William Thompſon*, *Thomas Kendal*, *Adrian van Aelmonde*, *Chriſtian van Rodenburgh*, *Lewis Houwens*, and *James Oyſel*, after having ſeen, read, examin'd, and accurately conſider'd all the Documents, Inſtruments and Proofs exhibited to us on both ſides, together with all other Things which ſeem'd neceſſary for the Diſcovery of the Truth; and being deſirous to reconcile and to eſtabliſh a perpetual Agreement between both the Companys

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aforeſaid, by virtue of the Power and Authority to us given and granted by the moſt High the Lord Protector of the Republick of *England*, *Scotland*, and *Ireland*, and the High and Mighty Lords the States General of the *United Netherlands*, have decided, defin'd and determin'd, and by this our preſent Award and Arbitration do decide, define and determine as follows. We make void, extinguiſh, obliterate, and altogether wipe out and commit to Oblivion (ſo as never to be reviv'd at any time, and upon any Pretence by any Perſon whatſoever) all Complaints, Pretenſions and Controverſys mention'd more at large above, and all others whatſoever which the *Engliſh* Company trading in the *Eaſt Indies* doth or may form againſt the *Dutch* Company, without excepting any, of whatſoever kind, nature or condition they may be; and particularly we appoint and ordain, that the ſaid *Engliſh* Company ſhall not for the future ſue or demand any thing of the ſaid *Dutch* Company in *Perſia* or elſewhere, under the Denomination of the Cuſtoms of *Ormuz* and *Gamron*; ſo that the *Dutch* ſhall never be moleſted or diſturb'd by the *Engliſh* for this cauſe under any Pretext. Provided nevertheleſs, that this does not prejudice any Action or Plaint which the *Engliſh* Company may enter againſt the King of *Perſia*, or any other Perſon whatſoever, the *Dutch* excepted.

In like manner we make void, extinguiſh, obliterate and wholly blot out and commit to Oblivion (ſo as never to be reviv'd at any time, and upon any Pretence by any Perſon whatſoever) all Complaints, Pretenſions and Controverſys mention'd above more at large, and all others whatſoever they be, which the aforeſaid *Dutch Eaſt India* Company doth or may form againſt the beforenam'd *Engliſh* Company trading in the *Eaſt Indies*; excepting none of whatſoever kind, nature, or condition they may be.

And moreover we appoint and decree that the ſaid *Dutch* Company ſhall yield and reſtore the Iſland *Polcron* to the ſaid *Engliſh* Company, in the ſame State and Condition as it is now. Provided nevertheleſs that it ſhall be lawful for the ſaid *Dutch* Company, to take away and remove out of the ſaid Iſland all military Furniture, Merchandize, Houſhold Stuff, and all Moveables, if they happen to have any in the ſaid Iſland.

And in the laſt place we decree and ordain that the

ſaid *Dutch* Company ſhall pay the ſaid *Engliſh* Company 85000 *l. Sterling*, to be paid here at *London*, one Moiety before the laſt day of *January* next enſuing, according to the *Engliſh* Style, and the other Moiety before the laſt day of *March* following, according to the ſame Style.

And all Controverſys between both the ſaid Companys being by this means compos'd, decided, and determin'd, to the end that a Stop may alſo be put to the Quarrels of private Perſons, We have ſeen, perus'd, and examin'd all the Complaints and Demands exhibited to us in due time, in the name of ſome private *Engliſhmen*, who complain of having receiv'd Injury and Damage at *Amboina*, in the Year 1623; and on the other hand, we have heard and conſider'd the matters which have been alledg'd, and exhibited by the abovemention'd Deputys of the *Dutch* Company, in their own Defence: And we the Commiſſioners aforeſaid, conſidering that no one Perſon, beſides thoſe underwritten, has on this account enter'd any Actions or Demands before us within the due time, after which it is not lawful to enter any more; and being therefore deſirous that no Relicks of Complaint ſhou'd remain, and that all Cauſe of Wrangling may be remov'd, after having duly conſider'd and weigh'd all things, do by virtue of the full Power and Authority given and granted to us by the moſt High Lord Protector, and the High and Mighty States of the *United Netherlands*, appoint and ordain, that all Complaint, Action, and Demand of the *Engliſh* whomſoever, whether publick or private, on the Score of any Injury or Damage which they pretend to have ſuffer'd at *Amboina*, in the Year 1622 the *Engliſh* Style, and 1623 *N. S.* may be made void, terminated, and committed to Oblivion; and that no Perſon whoſoever he be, ſhall enter any Action on that account, or moleſt, diſturb, or vex the ſaid *Dutch* Company, or any *Dutchmen* on that pretext. And on the other hand, we alſo decree and ordain, that the ſaid *Dutch* Company ſhall pay here at *London*, before the firſt day of *January* next enſuing, 700 *l. Sterling*, to *William Towerſon*, Nephew and Adminiſtrator of the Effects of *Gabriel Towerſon*, late of *Amboina* deceas'd; To *William Coulſon* Brother of *Samuel Coulſon*, &c. Adminiſtrator in like manner of his Effects, 450 *l.* To *James Bayels* Admini-

Adminiſtrator of the Effects of *John Powel*, 350 *l.* To *Anthony Ellingham*, Adminiſtrator of the Effects of *William Grigg*, 200 *l.* To the Adminiſtrators of the Effects of *John Weteral*, 200 *l.* To *Jane Webber*, Adminiſtratrix of the Effects of *George Seharoch*, 150 *l.* To *John* and *Elizabeth Collins*, the Children and Heirs of *Edward Collins*, 465 *l.* To the Adminiſtrators of *John Beaumont* 300 *l.* To *Jane Webber*, Widow and Adminiſtratrix of the Effects of *William Webber*, 200 *l.* To *James Baile*, Adminiſtrator of the Effects of *Ephraim Ramſey*, 350 *l.* To the Executors of the Will of *Thomas Radbroſee* 50 *l.* and to *Thomas Billinsby*, Adminiſtrator of the Effects of *Emanuel Thompſon*, 200 *l.*

All which Sums added together, make the Sum of 3615 *l. Sterling*, to be paid here at *London*, before *January* next enſuing; and on this condition, we inſiſt that their Actions or Suits be altogether ſet aſide and cancelled, ſo as never to be reviv'd hereafter by any Perſon whomſoever.

In Witneſs whereof, We *John Exton*, *William Turner*, *William Thompſon*, *Thomas Kendal*, *Adrian van Aelmonde*, *Chriſtian van Rodenburg*, *Lewis Houwens*, and *James Oyſel*, have ſubſcrib'd theſe Preſents, and ſeal'd them with our Seals the 30th of *Auguſt*, the *Engliſh* Style, in the Year 1654.

This Sentence or Award was ſign'd and ſeal'd in manner as follows,

John Exton, (L. S.)
William Turner, (L. S.)
William Thompſon, (L. S.)
Thomas Kendal, (L. S.)
Adrian van Aelmonde, (L. S.)
Chriſtian van Rodenburg, (L. S.)
Lewis Houwens, (L. S.)
James Oyſel, (L. S.)

Treaty of Peace and Alliance, between Frederick III. *King of* Denmark, *and* Oliver Cromwell, *Protector of the Republick of* England. *Done at* Weſtminſter, *Sept.* 15, 1654.

WHEREAS the moſt Serene and Potent Prince and Lord, the Lord *Frederick* III. by the Grace of God, King of *Denmark*, *Norway*, the *Vandals* and the *Goths*, Duke of *Sleſwic*, *Holſtein*, *Stormar*, and *Ditmarſh*, Earl of *Oldenburg* and *Delmenhorſt*, conſidering the many great ties of Friendſhip and Alliances, by which the *Daniſh* and *Engliſh* Nations have been engag'd to each other for ſo many Ages paſt, and how convenient and neceſſary it is in every reſpect, that this Friendſhip and Confederacy ſhou'd be corroborated and increas'd by farther reciprocal Offices of Friendſhip, did for that end ſend the noble Lord *Henry Williamſon Roſenwinge*, Governor of the Monaſtery of *Draxe Marchienſis*, and his Extraordinary Deputy to the moſt Serene Lord *Oliver* the Protector, and to the Republick of *England*, *Scotland*, and *Ireland*, who, out of a Deſire and Affection to concur to the ſame purpoſe, and to remove every Impediment which might obſtruct the Preſervation of a ſincere and mutual Friendſhip, and in any wiſe hinder the promoting of Commerce on both ſides, has been pleas'd to give it in charge to us the underwritten Privy Counſellors of his Highneſs, to treat with the ſaid Lord Deputy; and by virtue of our Commiſſions exhibited on both ſides, and ſeveral Conferences held from one time to another, we have at length agreed and concluded the following Articles.

I. That from this Day, there ſhall be a firm, entire and ſincere Friendſhip, Peace and Confederacy, as well by Land as by Sea, and on the Rivers, between the King and Kingdom of *Denmark* and *Norway*, and the Protec-

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tor and Republick of *England*, *Scotland*, and *Ireland*, and the Dominions, Countrys, and Citys under both their Dominions, and the People, Inhabitants, and Subjects of each, of what Rank and Dignity ſoever they be; ſo that neither Party ſhall by themſelves or others, do any thing directly or indirectly, or, as far as lies in their power, ſuffer any thing to be done, to the Loſs or Detriment of the other, but the one ſhall aſſiſt the other with all good Offices, and promote the Advantage and Benefit of the other to their utmoſt.

II. That there ſhall be a Trade, Navigation, and free Commerce between the Subjects of the King of *Denmark* and *Norway*, and the People of the Republick of *England*, in the Kingdoms, Dominions, Countrys, Provinces, Emporiums, and Harbours of either, according to the Regulation which is hereafter more clearly explain'd. And the Magiſtrates, and other Governors and Officers of Places, ſhall uſe their greateſt Diligence that the ſame may be us'd and enjoy'd on both ſides, freely and ſecurely, without any Lett or Moleſtation.

III. The People, Subjects, and Inhabitants of both the Confederates, of whatſoever Degree or Condition, ſhall treat one another in all things courteouſly and amicably, ſo that whenever they pleaſe, they may have free Acceſs by Land or Water to each other's Countrys, Territorys, Towns wall'd or unwall'd, fortify'd or not fortify'd, Harbours and Dominions; and there, without any Impediment, buy what Proviſions they want for their Uſe, excepting thoſe Colonys, Iſlands, Harbours and Places under the Juriſdiction of either, to which Navigation or Trade is prohibited, without ſpecial Leave or Licenſe firſt obtain'd from the other Party to which ſuch Colonys, Iſlands, Harbours and Places belong. But in all other Places, it ſhall be entirely free for both Nations to trade and traffick in whatſoever Merchandize they ſhall think fit, and the ſame to carry, ſell or export when and whither they pleaſe; provided they pay the Cuſtoms, and ſaving all the Laws and Statutes of either's Dominions.

IV. That all Offences, Diſputes and Controverſys ariſen between the King of *Denmark*, and the Republick of *England*, or done and committed by either Party, or the People and Subjects of either, by reaſon, or on account

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of the detaining of any *Engliſh* Ships, together with their Lading, in the *Sound*, ſince the 18th of *September* 1652, ſhall, by virtue of this Treaty, ceaſe, and be condemn'd to perpetual Oblivion, in ſuch manner, that neither of the ſaid Partys ſhall proſecute, or in any wiſe moleſt the other on account of ſuch Detainer, or for any Injurys and Damages thereby occaſion'd. Provided nevertheleſs, and be it underſtood, that this Article ſhall not extend, nor be conſtrued to extend to the reſcinding or weakening of that Contract in the 28th and 29th Articles of the late Treaty of Peace, between his Highneſs the Lord Protector, and the Lords the States General of the *United Provinces*, for reſtoring the Ships therein mention'd, together with their Lading, and making good the Damages as therein expreſs'd; but the ſaid Contract ſhall remain firm and intire, and ſhall be duly and truly perform'd and fulfill'd, according to the proper and genuine Senſe and Meaning of the ſaid Articles.

V. That neither of the ſaid Partys, nor the Subjects or People of either, ſhall by Land or Sea, or elſewhere, act, do, endeavour, negotiate, or attempt any thing againſt the other, or the Subjects and People of the other, nor give, lend, adminiſter, or conſent to the giving, lending, or adminiſtring of any Aſſiſtance or Favour to the Fugitives or Rebels of the other; but both Partys ſhall expreſsly and effectually oppoſe, reſiſt, and really hinder all and every Perſon and Perſons living or reſiding in the Dominions of either, or happening to be in the Dominions of either the one or the other, who ſhall act, do, negotiate or attempt any thing againſt the other. Nor ſhall either of the Partys receive or ſuffer any of the Rebels or Fugitives of the other, to be receiv'd in their Dominions, Territorys, and Countrys, Harbours, Bays, or Diſtricts; nor ſhall give, lend or grant to any ſuch Fugitives or Rebels, either within or without their Territorys, Lordſhips, Lands, Harbours, Bays, or Diſtricts, any Aid, Counſel, Lodging, Money, Soldiers, Ships, Proviſions, Arms, *&c.* or permit or tolerate ſuch things to be given, lent or granted, by any Perſons whatſoever, living out of their Dominions.

VI. That the People or Inhabitants of the Republick of *England*, ſailing to any of the Kingdoms, Territorys or Dominions whatſoever, of the King of *Denmark*

mark and *Norway*, or trading to the ſame, ſhall not pay more or greater Cuſtoms, Tribute, Toll, or other Dutys, or in any other manner, than the People of the *United Provinces* of the *Netherlands*, or other Foreigners (the *Swedes* only excepted) trading thither, and paying the leſſer Cuſtoms, do or ſhall pay; and they ſhall enjoy all the other Libertys, Immunitys, and Privileges, in going, returning, and ſtaying; as alſo in Fiſhing or Trading, as the People of any foreign Nation whatſoever, trading in the ſaid Kingdoms and Dominions of the King of *Denmark* and *Norway*, do or ſhall enjoy; and the Subjects of the King of *Denmark* and *Norway*, ſhall uſe or enjoy the ſame Privileges, in all the Dominions and Countrys of the Republick of *England*.

VII. If the Subjects and Inhabitants of either of the Confederates, with their Ships, are compell'd either by Pirates, or by Streſs of Weather, or by any other Inconveniency to ſeek ſhelter in the Rivers, Friths, Bays or Harbours of the other Confederate, 'tis agreed that they ſhall be courteouſly and kindly treated by the Magiſtracy and Inhabitants of the Place; and it ſhall be lawful for them to furniſh themſelves with what Neceſſarys they want for rigging their Ships, at the Market-price, and from thence freely to put to Sea again, without any Hindrance and Search, and without paying any Toll or Cuſtom. Provided they put none of their Goods or Bales aſhore, or expoſe them to Sale, nor receive on board any Perſons guilty or ſuſpected of Crimes, or any Contraband Goods; nor, in fine, do any thing that may be repugnant to the Laws, Statutes, or Cuſtoms of ſuch Place and Harbour to which they arrive.

VIII. If the Ships of either of the Confederates, his Subjects and Inhabitants, whether they are Men of War or Merchant Ships, happen to run aſhore, or in any caſe whatſoever (which God forbid) to ſuffer Wreck on the Coaſts of the other Party, the ſaid Ships, with all their Rigging, Goods and Merchandize, or whatſoever ſhall be left of them, ſhall be reſtor'd to the Maſters and Proprietors, provided they or their Plenipotentiarys or Attorneys lay claim to the ſaid Ships and Goods within a year after ſuch Shipwreck happens; and the Subjects or Inhabitants living on ſuch Shores and Coaſts, ſhall be oblig'd to give preſent ſuccour and relief to thoſe that are in Danger, to the utmoſt of their Power, and ſhall uſe all their endeavour either to ſet the Ship free, or to

ſave her Goods, Merchandize, Rigging, and every thing elſe in their Power from being caſt away, and convey the ſame to a ſafe Place, that they may be reſtor'd to the Owners, on condition that they pay the Charges, and ſuch Rewards as they ſhall deſerve, by whoſe Labour and Diligence the Things and Goods were recover'd and ſecur'd.

IX. Both Partys ſhall cauſe Juſtice and Equity to be adminiſter'd to one another's People and Subjects, according to the Laws and Statutes of each Country, ſpeedily, and without tedious and unneceſſary Formalitys and Expences, in all Cauſes and Controverſys now depending, or that may ariſe hereafter.

X. That if any thing ſhall happen to be done, or attempted, by any of the Subjects and Inhabitants of the King of *Denmark*, or of the People and Inhabitants of the Republick of *England*, contrary to this Treaty, or any Member thereof, by Land, Sea, or the Freſh Waters, this Alliance, Friendſhip and Union between the Partys aforeſaid, ſhall not therefore be interrupted, or infring'd, but ſhall nevertheleſs remain intire, and be in full Force, and thoſe Perſons only who ſhall act contrary to the ſaid Treaty ſhall be puniſh'd, and none other; and Juſtice ſhall be done, and Satisfaction given to thoſe whom it concerns by all thoſe, who by Land, Sea, or other Waters, act any thing contrary to this Alliance, within the Space of a year after Juſtice ſhall be demanded. But if the Breakers of the Treaty do not appear, nor ſurrender themſelves to Trial, nor give Satisfaction within the Term mention'd, thoſe very Perſons ſhall be deem'd Enemys to both the Partys; and as far as the Laws and Statutes of every Country and Place will permit and authorize, all their Goods, Eſtates, and Revenues whatſoever, ſhall be confiſcated and ſold to make full and juſt Satisfaction for the Injurys by them committed, and their Perſons ſhall be liable to thoſe Puniſhments which their reſpective Crimes deſerve.

XI. 'Tis alſo agreed and concluded, that the Ships of the Inhabitants of the Republick of *England*, together with their Lading and Merchandize, which ſail beyond the Fort of *Gluckſtadt*, or any other Places and Towns under the Dominion of the King of *Denmark*, ſituate on the Bank of the River *Elbe*, ſhall, both going and returning, be free

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and exempt from all Tribute, Toll, Search, Stoppage, or Moleſtation.

XII. That Firs, Maſts, and the other ſorts of Timber, after they are put on board the Ships of the Inhabitants of the Republick of *England*, ſhall be ſubject to no farther Viſitation, but all Viſitation or Search ſhall be made beforehand; and if there be then found any prohibited Timber, the ſame ſhall be ſtopp'd on the Spot, before 'tis carry'd on board the Ships. Nor ſhall the Perſons or Goods of the People of the ſaid Republick be for this cauſe arreſted, or in any wiſe moleſted by being in any manner detain'd; and only the Subjects of the King of *Denmark*, who ſhall preſume to ſell and alienate ſuch prohibited Timber, ſhall be duly puniſh'd for the Offence.

XIII. For the greater Security of Commerce, and the Liberty of Navigation, 'tis agreed and concluded, that neither Party ſhall, if it be in their power, permit common Pirates, or other Robbers of this ſort to harbour in any Parts of the other's Kingdom or Country, nor ſhall ſuffer any of the Inhabitants or People of the other, to receive or aſſiſt them in reality, or by countenance, but on the contrary, ſhall do their Endeavour that the ſaid Pirates or Robbers, and their piratical Partners and Accomplices, be apprehended and brought to condign Puniſhment; and that the Ships and the Merchandize, as much of it as can be found, be reſtor'd to their lawful Owners, or their Attorneys, provided their Right appear from due Proofs according to Law in the proper Courts.

XIV. 'Tis agreed that there ſhall be always free Acceſs for the Subjects and People of either of the Partys to the Harbours and Coaſts of the other Confederate, and it ſhall be lawful for them to ſtay therein, and to return from thence, not only with Merchant Ships, and Ships of Burthen, but alſo with Men of War, whether they are Ships of the State, or ſuch as are privately commiſſion'd, whether they are drove in by ſtreſs of Weather, or for avoiding the Danger of the Sea, whether to repair their Ships, or to buy Proviſions. Provided they don't exceed the number of ſix Men of War, if they enter of their own accord, nor ſtay longer in or about the Harbours than ſhall be needful for the Repair of the Ships, buying Proviſions, or for other neceſſary Occaſions. And if upon occaſion they ſhall offer to go to ſuch Ports with a greater Number of Men of War, it ſhall not by any means be lawful for them

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ſo to do, without notice given in time by Letters of their Arrival, and without Leave firſt obtain'd from thoſe to whom the ſaid Harbours ſhall belong. But if by Streſs of Weather, or other urgent Neceſſity, they are compell'd to ſeek Harbour, in ſuch caſe, without any Token or Notice preceding, the Ships ſhall not be reſtrain'd to any certain number; on condition, nevertheleſs, that their Commander, immediately after their Arrival, do certify the chief Magiſtrate or Commander of the Place, Fort or Coaſt to which they arrive, of the Reaſon of his coming, and that he ſtay there no longer than he ſhall be ſuffer'd by the chief Magiſtrate or Commander, and do neither commit nor attempt any Hoſtility in the Harbours which he enters, nor do any thing in prejudice of that Confederate to whom they belong.

XV. If either of the Confederates ſhall think it of Service to himſelf or his Subjects to appoint Deputys, Reſidents, Commiſſioners, or other Miniſters of whatſoever Title or Character, to manage their Affairs in the Courts or Tribunals of the other, 'tis agreed and concluded, that the ſaid Miniſters ſhall be favourably admitted, according to the Credentials which they bring, and be receiv'd with fitting reſpect and Honour, and ſhall be under the Protection of the other Confederate, and ſafe from all manner of Injury and Violence. Provided they do not commit, or attempt any thing to the Loſs and Prejudice of the Confederate to whom they are ſent.

XVI. Whereas ſince the 26th of *April* 1654, and the firſt of *June* 1646, certain Treatys and Alliances were enter'd into concerning Cuſtoms in the *Sound*, and other things, between the moſt Serene King of *Denmark* of glorious Memory, and the States of *England* at that time aſſembled in Parliament, 'tis agreed and concluded, that the ſaid Treatys and Alliances ſhall not in any wiſe by the preſent Treaty be deem'd to be ſet aſide or repealed, but remain in their former Force and Vigour, as well on the part of his moſt Serene Royal Majeſty now reigning, as on the part of the moſt High Lord Protector of the Republick of *England*; who both bind themſelves again by the vigor and virtue of this preſent Treaty, to perform the ſaid Treatys reciprocally and really, and that they will take care that the ſame, and every one of their Articles be perform'd, and effectually obſerv'd, according to their true and proper Meaning, by their Subjects and People.

XVII.

XVII. Finally, 'tis agreed and concluded, that both Partys ſhall ſincerely and *bonâ fide* obſerve all and ſingular the Articles contain'd and eſtabliſh'd in the preſent Treaty and Alliance, and cauſe them to be obſerv'd by all the Subjects, Inhabitants, and People of the moſt Serene King of *Denmark* and *Norway*, and of the Republick of *England*, univerſally; and that they ſhall not contravene, or cauſe them to be contraven'd, directly or indirectly; and ſhall confirm and ratify all and ſingular the Contents in ſufficient and valid form, ſubſcrib'd with their Hands, and ſeal'd with their Great Seals; and ſhall *bonâ fide* and really deliver, or cauſe the ſame to be deliver'd reciprocally to Deputys appointed for that purpoſe, within the ſpace of three Months, or ſooner, if poſſible.

In Witneſs of all and ſingular the Premiſes, I the Deputy Extraordinary of the moſt Serene and Potent King of *Denmark* and *Norway*, and we the Counſellors and Commiſſioners of his moſt Serene Highneſs the Lord Protector of the Republick of *England*, *Scotland* and *Ireland*, have with our Hands and Seals ſign'd and ſeal'd the preſent Treaty, conſiſting of ſeventeen Articles. Done at *Weſtminſter*, Sept. 15, 1654.

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Convention between Oliver Cromwell, *Protector of* England, *and the High and Mighty States General of the* United Netherlands, *for conſtituting a Congreſs at* Amſterdam, *of Commiſſioners to be nominated on both ſides, for determining all the remaining Complaints without Limitation, in the Award and Arbitration paſs'd the* 30*th of* Auguſt 1645, *upon their Controverſys.*

WHEREAS by the 30th Article of the late Treaty, between the moſt Serene Lord Protector of the Republick of *England*, *Scotland*, and *Ireland*, and the High and Mighty Lords the States General of the *United Netherlands*, it was agreed that Commiſſioners or Arbitrators ſhould be nominated and appointed, with full and abſolute Power and Authority, to examine and determine all thoſe Loſſes and Injurys which the one Party laid to the Charge of the other, from the Year 1611, to the 18th of *May* 1652 O. S. and which each Party ought to have exhibited before the 18th of *May* 1654. Which ſaid Day nevertheleſs, by conſent of both Partys, was put off till the 30th day of the ſaid Month; and if the ſaid Commiſſioners did not agree concerning the ſaid Loſſes and Injurys within three Months after that day, the ſaid Complaints ſhou'd be referr'd to the Proteſtant Cantons of *Swiſſerland*, who ſhou'd be deſir'd to nominate and appoint Commiſſioners for examining and determining the foreſaid Complaints, within ſix Months after the expiration of the former three.

And whereas the Commiſſioners of both Republicks aſſembled at *London*, and receiv'd ſundry Complaints to them deliver'd

deliver'd within the time aforeſaid, and examin'd and determin'd ſome, as expreſs'd in the Award and Arbitration of the aforeſaid Commiſſioners, publiſh'd under their Hands and Seals the 30th of *Aug.* 1654. O. S. And whereas ſeveral yet remain undetermin'd, which according to the 30th Article aforeſaid ought to have been referr'd to the abovemention'd Proteſtant Cantons of *Swiſſerland*, in order for Deciſion by certain Commiſſioners to be by them nominated and appointed; which Nomination and Appointment was not made by them within the Term of ſix Months aforeſaid, and yet it is neceſſary that the ſaid Complaints ſhou'd be decided, and all private Grudges remov'd, and that every Shadow of Diſcord may be for the future taken away:

'Tis therefore agreed and concluded between the moſt Serene Lord Protector, and the High and Mighty Lords the States General, that all Complaints exhibited within the Time aforeſaid, *viz.* the 30th of *May* 1654, and not included and determin'd in the abovemention'd Award and Arbitration, ſhall be referr'd and ſubmitted to the Judgment and Determination of the aforeſaid Commiſſioners, who publiſh'd the ſaid Award and Arbitration, or of others who ſhall be nominated and conſtituted on both ſides; and that they ſhall meet again at *Amſterdam* in *Holland*, furniſh'd and inveſted with the ſame full Power and Authority as before; and that they ſhall proceed in the ſame Order and Manner, and with the ſame Method, and conſequently determine all the Complaints aforeſaid within three Months after their firſt Congreſs, which ſhall be on the 26th of *July* 1655. And that publick Notice thereof ſhall be given to the People of both Republicks, and that all things which the aforeſaid Commiſſioners ſhall determine within the three Months aforeſaid ſhall bind both Partys. In Witneſs of all and ſingular the Premiſes, both we the Commiſſioners of his Highneſs, and I the Ambaſſador Extraordinary of the *United Provinces* of the *Netherlands*, have ſign'd theſe Preſents with our Hands, and ſeal'd them with our Seals. Done at *Weſtminſter*, *May* 9, O. S. *Anno* 1655.

A Memorial preſented to Oliver Cromwell *Protector of* England, *by the Marquiſs* de Leyde, *and by* Don Alonſo de Cardenas, *Ambaſſadors of* Philip IV. *King of* Spain, *in* England, *for an Expedition to* France.

Moſt Serene Lord,

THE Marquiſs *de Leyde*, Ambaſſador Extraordinary from his Majeſty, and *Don Alonſo de Cardenas*, Ambaſſador in Ordinary from his ſaid Majeſty, declare, That the King their Maſter, not in the leaſt doubting that your Highneſs bears in Memory the many Proofs of Friendſhip and good Correſpondence with which the ſaid King has endeavour'd to oblige this Republick, from the firſt Moment that it was form'd, as well as your Highneſs, ſince the Time that you undertook to be its Protector, without omitting any Means that might contribute to the cloſer Cement of that Friendſhip, which has been endeavour'd and propos'd on his part, his Majeſty has been pleas'd to renew his Order to the ſaid Ambaſſadors, to repreſent to your Highneſs, that the ſaid King being the firſt that recogniz'd this Republick, and ſent an Ambaſſador hither authoriz'd with the Title of Plenipotentiary, to treat with this State, the ſaid *Don Alonſo de Cardenas* did at that time propoſe the renewing of the Peace ſtipulated with King *Charles* the Firſt; which after having been examin'd with the Commiſſioners whom the Parliament deputed on that occaſion, the Treaty was ſo far advanc'd, that in all probability it wou'd have been concluded, if the Separation of the Parliament which happen'd in *April* 1653 had not hinder'd it. And tho in the Conferences which were held with the Parliament's Commiſſioners, there were great Debates and Conteſts about the Trade to the *Indies*, the Inquiſition, and the unequal Payment of Cuſtoms

ſtoms by his Majeſty's Subjects, in Places under the Dominion of this State (which are the moſt difficult Points of the Treaty) yet the ſaid Commiſſioners receded from them, out of pure Regard to the Treaty, which is the Term they made uſe of in the Articles that they agreed on.

And after the Parliament had veſted your Highneſs with the Office and Dignity of Protector, you was pleas'd at the Inſtance of *Don Alonſo* to nominate Commiſſioners, who were to return an Anſwer to the Articles which the ſaid *Don Alonſo de Cardenas* had laid before them; which Commiſſioners produc'd a Writing that they ſaid had been given them by your Highneſs, to the end they might with him re-examine the three Points abovemention'd, concerning the *Indies*, the Inquiſition, and the Payment of Cuſtoms. To this he made Anſwer on his part, declaring that his Majeſty cou'd not conſent to the two firſt, for the reaſons that had been mention'd before; but that as to the Cuſtoms an Expedient was found out to make it eaſy. Upon this the ſaid Commiſſioners promis'd to give an account of the whole to your Highneſs, and to return an Anſwer to the ſaid Ambaſſador: Whereupon a new and more ſtrict Treaty of Alliance was begun, and at a time when every body thought that the Conſpiracys from which God had preſerv'd your Highneſs's Perſon, wou'd retard the Concluſion of this Republick's Treaty with *France*, whoſe Maxims, Intereſts, and Correſpondences are ſo contrary to your Highneſs, as the ſaid *Don Alonſo* has repreſented to you on divers occaſions, and particularly when the Miniſters of that Crown were concern'd in thoſe Conſpiracys; inſomuch that your Highneſs found yourſelf oblig'd to forbid your Court to the *Sieur de Baas*, Envoy from the Moſt Chriſtian King, who at his Arrival in *France* was rewarded. To which we may add, that your Highneſs cou'd not be ignorant how much *France* contributed, either by Men or Advice, and by other Aſſiſtances, to the late Inſurrections which have happen'd in ſeveral Shires of this Country, and that the Troops deſign'd for coming over to *England* to foment them, in conjunction with Cardinal *Mazarine*'s Regiment, were ready in the Harbours, and on the Coaſts of the Channel, waiting for an opportunity to embark on board the Ships that lay to take them on board; and that this alſo was the true reaſon, why the ſaid Crown retarded the Concluſion of the Treaty, which it begins again to ſollicit now its Deſigns are miſcarry'd. All Mankind is ſurpriz'd

to the laſt degree, to ſee that your Highneſs, notwithſtanding Proceedings ſo unaccountable, and ſo publickly notorious, has any Inclination at this time of day to conclude the Treaty with the *French*, and to ſee the Meaſures adjuſted for the Peace with *Spain* put off; the Intereſts of which Nation in point of Commerce, being, as any one may ſee, ſo contrary, and the manner in which both his Majeſty and his Miniſters have behav'd to your Highneſs, being ſo different from that of the *French*. For this reaſon, the King their Maſter perceiving that the Treatys with *Holland*, *Denmark*, and *Sweden* are finiſh'd, and even that with *Portugal* brought to a Concluſion, and that with *France* in ſuch a Forwardneſs, and that the Treaty with *Spain* is the only one deferr'd, without any Anſwer return'd to the Articles that were given in by the ſaid *Don Alonſo*, as is mention'd above, his Majeſty has been pleas'd to acquit himſelf with all the Demonſtrations of Eſteem and Affection which he has for your Highneſs, not only by ſending the ſaid Marquiſs *de Leyde* in quality of Ambaſſador Extraordinary, in order to make a more authentick Declaration of his Sentiments, but alſo that he may let your Highneſs ſee how deſirous he is ſtill to unite in Intereſt with your Highneſs, and to eſtabliſh ſo ſtrict an Alliance and Confederacy with you, as may for ever ſecure the common Intereſts, and promote the Happineſs of both States. In purſuance of which, the ſaid Ambaſſadors have Orders to repreſent to your Highneſs, how neceſſary 'tis for the Regulation of Commerce, to finiſh and conclude the Treaty for renewing the Peace, and to cement it by means of ſuch Union, in ſuch Form, and on ſuch Conditions, as ſhall be drawn up for their mutual Security and Advantage.

And they have Orders likewiſe to give your Highneſs to underſtand, that in caſe this State thinks it for her Advantage to recover *Calais*, by the concerting of Meaſures to take it, and your Highneſs's concurrence therewith, by the Conjunction of your Forces both by Land and Sea with thoſe of his Majeſty, the ſaid Place will be put into your Highneſs's hands, and ſhall be deliver'd to you, on condition that your Highneſs will aſſiſt the Prince of *Conde* with Ships and Soldiers to put him aſhore at *Bourdeaux*, or if that be not poſſible, at ſuch other place where it ſhall be thought moſt proper to give the ſaid Prince footing in *France*, and to act in that Kingdom, from whence ſo great an Advantage will redound to this State. If there be any

thing elſe which your Highneſs deſires from his Majeſty, he is ready to embrace all Offers that ſhall be made him, provided they are advantageous to the common Cauſe, and to the Welfare of the two Nations.

Treaty of Peace between the Kingdom of France, *and the Republick of* England, Scotland *and* Ireland. *Done at* Weſtminſter *the 3d of* November 1655.

WHEREAS for ſome time paſt the good Underſtanding and Freedom of Commerce betwixt *England* and *France* had been interrupted, and *Lewis* XIV. the moſt Chriſtian King of *France* and *Navarre*, ſent his Ambaſſador the Lord *de Bordeaux* Knight, Lord *de Neufville*, Privy Counſellor, Maſter of the Requeſts, Preſident of his Grand Council, *&c.* to *England*, as Ambaſſador for reſtoring of both, and gave him full and abſolute Power to enter into any Treaty whatſoever, neceſſary for that end: And alſo the moſt Serene and Potent Lord Protector of the Republick of *England*, *Scotland* and *Ireland*, for promoting ſo holy a Work, deputed Commiſſioners to treat with the ſaid Lord Ambaſſador; upon which a Treaty was at length agreed on by both Partys, conſiſting of the following Articles.

I. That from this time there ſhall be a firm Peace, Friendſhip, Society, and League between the Republick of *England*, *Scotland* and *Ireland*, &c. and the Kingdom of *France*, and alſo between all the Lands, Dominions, Cities, and Places which are under the Protection and Dominion of either; and that the People and Subjects of both Nations may ſafely and freely frequent each other's Harbours and Stations, and travel thro' the Citys as they think fit without any Damage or Injury; nay, that the Judges and Officers of thoſe Places ſhall take care that

they be rather favour'd every where, and that all manner of Juſtice be done to them.

II. Neither Party ſhall directly or indirectly aid or aſſiſt ſuch as are now, or ſhall hereafter be declar'd their Rebels, Enemys or Adherents. And if either Party ſhall henceforward make a Peace or Truce with ſuch as are now their declar'd Enemys, that Party which ſhall make ſuch Peace or Truce, ſhall not give, lend, or adminiſter any Aid or Aſſiſtance to the ſaid Enemys or their Adherents, againſt the other.

III. Alſo that all manner of Hoſtilitys, as well by Land as by Sea, and the freſh Waters, ſhall henceforwards ceaſe on both ſides; and all Patents or Commiſſions, Letters of Marque or Repriſal, that have been given and granted by either State to their People and Subjects, or to any other Perſon whatſoever, againſt the ſaid Kingdom or Republick, or any of the People and Subjects whomſoever of either, ſhall be revok'd and made void; and whatſoever ſhall be taken under any Pretext after fourteen days next enſuing the Publication of this preſent Treaty, ſhall be well and truly reſtor'd. And if any Prize whatſoever be taken, or any Damage whatſoever done by the People, Subjects, and Inhabitants of either, to the prejudice of the preſent Treaty, or contrary to common Juſtice, yet no Letters of Marque or Repriſal ſhall be granted before Juſtice is demanded. And if it be delay'd or deny'd, that State, or its Ambaſſadors and Miniſters, whoſe Subjects have ſuſtain'd the Loſs, ſhall require the ſame to be adminiſter'd; and if within the ſpace of three Months after ſuch Demand, they don't obtain legal Satisfaction, then it ſhall be lawful to grant ſuch Letters of Marque or Repriſal, which however ſhall not be executed indifferently upon the Goods, Ships or Perſons that are in the Harbours and Stations, but upon thoſe only who have committed the Crime.

IV. That Commerce ſhall be intirely free betwixt the Republick of *England* and Kingdom of *France*, and their People and Subjects by Land, by Sea, and on the freſh Waters, thro' all and ſingular the Countrys, Dominions, Territorys, Provinces, Citys, Towns, Villages, and all other Places throughout *Europe*, where Commerce and Trade us'd to be exercis'd; ſo that without any Letters of Safe Conduct, or Application for any general or ſpecial Licenſe whatſoever, the People of the

ſaid

ſaid Republick, and the Subjects of his ſaid Majeſty, ſhall freely paſs and repaſs by Land, Sea, or on the freſh Waters, to the ſaid Countrys, Kingdoms, and Dominions, and to all the Citys, Harbours, Shores, Stations, Streights, and to enter all the Places and Harbours of either, with their Ships laden or unladen, Carriages, Beaſts of Draught or Burden, with which Merchandizes are carry'd, and may there buy and ſell what they pleaſe, paying only the Market-price in ſuch Places for ſuch Neceſſarys as they want, either for their Proviſion or their Journey, and, as occaſion ſhall require, to rig their Ships, and repair their Carriages: and it ſhall be equally free for them to return to their own Country, or to go to any other places at their own Diſcretion with their Merchandize, Goods, or any other Effects whatſoever, without Moleſtation, provided they pay the due Cuſtoms and Port-Dutys to the other Party, and a proper Regard in like manner to all the Laws and Statutes of the other's Dominion.

V. 'Tis alſo agreed and concluded, that the People and Inhabitants of the ſaid Republick of *England*, *Scotland* and *Ireland*, and all the Dominions thereof, may freely import all the Manufactures of Wool and Silk, which are carry'd on in *England*, *Scotland* and *Ireland*, and the ſaid Dominions thereof, into all the Harbours, Citys, or Towns whatſoever of the *French* Dominions, and therein ſell the ſame, without incurring any Forfeiture thereof, or Penalty for the ſame, any Law, Edict, Decree, Statute, or whatever elſe to the contrary notwithſtanding. Provided nevertheleſs, that the Regulation ſtipulated in the 13th Article of the * Treaty between *James* King of *Great Britain* and *Henry* IV. King of *France* and *Navarre*, Anno 1606, concerning Cloths that are ill made, ſhall be kept and obſerv'd: and that the Subjects of his Majeſty ſhall freely import into all the Harbours, Citys and Towns whatſoever of the ſaid Republick, and therein ſell all Wines of the Product of *France*, and all Manufactures of Wool and Silk, made or to be made in the Kingdom of *France*, or the Dominions thereof, without being liable to any Forfeiture thereof, or any Penalty for the ſame, any Law or Statute, or any thing to the contrary whatſoever notwithſtanding; and that as well the Subjects of his Majeſty, as thoſe of the ſaid Republick, ſhall be kindly treated and enjoy the ſame Privileges on both ſides as other Foreigners.

* *See* Vol. II. p. 147.

VI. That to the intent that the Cuſtoms, Port-Dutys, and Impoſts may be known to either Party, and that the Merchants may be certain what they ought of Right to pay in the ſaid Republick and Kingdom, Tables of the late Cuſtoms and Dutys ſhall be made and fix'd up in the publick Places, as well at *London*, and other Citys of the Republick of *England*, as at *Roan*, and other Citys of *France*, according as need ſhall require; to which Tables any one may have recourſe, as often as any Controverſy ſhall ariſe about ſuch Cuſtoms, Port-Dutys, and Impoſts.

VII. Becauſe certain Tributes, Impoſts and Privileges are demanded and claim'd by ſome Citys and Places, as due to them and their Inhabitants from the Subjects of either Confederate, 'tis agreed that the Magiſtrates and Officers of every City ſhall take care that no greater Taxes or Impoſts be demanded than what are legal.

VIII. And whereas in ſome Harbours of *England* and *France* a certain Cuſtom, founded upon no Law, has obtain'd, that every one ſhall pay a certain Tax, call'd Head-mony, for Ingreſs and Egreſs, 'tis agreed that hereafter the ſaid Tax ſhall not be demanded, but that all Perſons, of whatſoever Rank or Condition, ſhall have free Ingreſs and Egreſs, without being compell'd to pay any thing on that account, and that Foreigners ſhall be treated in this and other caſes on the ſame footing with the Natives.

IX. 'Tis alſo agreed on both ſides, that the *French* Merchants trading in *England*, ſhall not be compell'd to give any Security, beſides their Oath, for the Sale of their Merchandize, and bartering the Produce thereof for other Goods, nor to procure any longer Time or Diſcharge; nor ſhall they on that account be liable to any other Expences than the Natives of the Place.

X. That the *French* Ships may come to the Key of *London*, and the other Ports of *England*, *Scotland* and *Ireland*, and other Places in their Dominions, and there take in their Lading without any Moleſtation, nor ſhall they be compell'd to put their Lading aboard other Ships; and that the *Engliſh* Ships ſhall, with the like Freedom, and without any Moleſtation or Impediment, enter into any of the Harbours of *France* whatſoever, and uſe and enjoy the ſame Privileges and Immunitys as the *French* Ships do in *England*: and in all other things an Equality

and

and Freedom of Commerce ſhall be kept up and obſerv'd as far as poſſible.

XI. That the Merchant Ships of this Republick, and its People and Inhabitants, which ſail to *Bourdeaux*, or enter the *Garonne* in their Voyage, ſhall not be compell'd to take out their Guns, Arms, or Military Stores at the Caſtle of *Blaye*; and in like manner the People and Inhabitants of the ſaid Kingdom ſhall not be liable to any Impediment of that ſort in any Harbours whatſoever of *England*, *Scotland* and *Ireland*; and the ſame ſhall be obſerv'd in all the Ports of *France* towards the People and Inhabitants of the ſaid Republick: and that the People, Subjects and Inhabitants of the one Party ſhall enjoy the like and as ample Privileges and Immunitys in the Kingdoms, Dominions, and Territorys of the other, in the Courts of Juſtice and Maritime Cauſes, as the People of every foreign Nation in Alliance and Friendſhip with them, either now do, or hereafter ſhall enjoy.

XII. To the end that Commerce may be more promoted between the Subjects and People of both Nations, 'tis agreed that the Merchants and other People of the Republick of *England* aforeſaid, ſhall freely make their Wills, and according to their own Diſcretion diſpoſe of their Merchandize, Plate, Money, Houſhold-ſtuff, Debts, and all Moveables, which they poſſeſs'd, or ought to have poſſeſs'd when living, or at the time of their Death, in any part of his Majeſty's Dominions, either by Donation, or Teſtament, or any other Diſpoſition, either during the time of Sickneſs, or at any time before; and that whether they die, having made their Wills or Inteſtate, their Heirs or Executors, whether nam'd or not nam'd in their Wills, or otherwiſe, ſhall lawfully enjoy thoſe Goods according to the Laws of *England*, in whatſoever part of *France* they dy'd: ſo that what is commonly call'd *Droit d'Aubeine*, ſhall not hinder them, nor ſhall their Goods by virtue thereof be forfeited; and that the Subjects of his ſaid Majeſty ſhall uſe and enjoy the ſame Liberty and Privilege throughout the aforeſaid Dominions of the Republick of *England*. Provided nevertheleſs, and be it underſtood, that the Wills, and the Right of entring upon the Inheritance of Perſons Inteſtate, ſhall be prov'd according to Law, as well by the Subjects of the ſaid King, as by the People of the ſaid Republick,

lick, in thoſe Places where each Perſon dy'd, whether it happen in *France*, or in the ſaid Republick.

XIII. That the Inhabitants of the Iſlands of *Jerſey* and *Guernſey*, ſhall enjoy the ſame Privileges and Immunitys in *France*, as the *French* do in thoſe Iſlands, paying the Cuſtoms and Impoſts on both ſides.

XIV. To the intent that Ships may not be ſo often ſeized hereafter, and that thoſe who travel by Sea may be protected from Injurys, 'tis agreed that the Commanders or Maſters of all Ships of Force, which belong to the People of either, and which ſail from the Harbours or Shores of either, ſhall before they weigh Anchor, give ſufficient Security by competent Perſons who are not of the Ship's Company, amounting to double the value of the Ship, her Cargo and Rigging, before the Judges of the Court of Admiralty, or other Magiſtrates of thoſe Places from whence they are bound, that they will behave well at Sea, and that they will not ſeize nor keep poſſeſſion of the People or Subjects of either, nor their Goods, Ships or Veſſels, nor in any other reſpect hinder or injure them; and that if the Judges of the Admiralty, or other Magiſtrates aforeſaid, ſhall neglect to take Security, or accept ſuch as is not competent, they themſelves ſhall be reſponſible for all the Damages.

XV. That till ſuch time as there is a poſſibility of making a more certain and abſolute Stipulation for removing the Evils and Inconveniences which may happen at Sea, 'tis agreed that for the Space of four years next enſuing the Ratification of the preſent Treaty, all Ships belonging to the Subjects and People on both ſides, and trading to the *Mediterranean*, the Eaſtern Sea, or the Ocean, ſhall be free, together with their Cargoes, altho they have Merchandize on board, even Corn or Pulſe, which are for the uſe of the Enemys of either; excepting nevertheleſs ſuch Goods as are forbidden and contraband, as Gunpowder, Muskets or Iron Barrels, and all ſorts of Arms, Ammunition, Horſes, and Military Furniture: nor ſhall they tranſport or carry any Men to the uſe of the Enemys of either, in which caſe both the Ships, and the Military Furniture, and the Merchandize ſhall be deem'd lawful Prize. And the ſame ſhall be executed with Severity upon thoſe, who ſhall bring any Men, Corn or Proviſions to any places whatſoever, beſieg'd by either of the Partys.

XVI. That

XVI. That both Parties ſhall expreſsly admoniſh the Admirals and Commanders of their Fleets, and all other their Sea-Captains whatſoever, either carrying their Flags, or bearing Commiſſions from them, or acting in their Service, not to ſeize, take, or in any manner to hinder or injure the Ships, Veſſels, Goods, or Merchandize of the People or Subjects of the other, but that they diligently obſerve this Treaty and Convention; and that they who contravene it ſhall make Atonement to the Party whom it concerns, by ſuffering corporal Puniſhment according to the nature of the Offence, and, if poſſible, repair the Injury done; but at leaſt that the Confederate to whom the Offenders appertain ſhall ſatisfy and repair the Damage within three Months after he knows it, and Satisfaction is demanded; and that Men of War meeting the Merchant-Ships of either Party ſhall protect them, as far as they happen to ſteer the ſame Courſe, againſt all who intend them any Violence.

XVII. That if the Commanders of any Ships of either Party, or of their People, ſhall take any Prize at Sea, within twenty four hours after they are carry'd into Port, they ſhall deliver all the Books of Accompts, Papers, Cockets, and Bills of Lading, which they ſhall find in thoſe Ships, to the Judges of the Admiralty, to the intent the Perſon concerned may make Copys thereof; and where there ſhall be no Judge of the Admiralty, the ſaid Papers and Books ſhall be committed to the Officers of thoſe Places, who ſhall ſend the ſame ſeal'd up to the Judges of the Admiralty; during which the Mariners on board thoſe Ships ſhall not be taken out, nor any Part of the Cargo touch'd, or any of the Goods ſet aſhore, unleſs it be done by the Authority of the Court of Admiralty, and the Envoyce ſhall be copy'd in the preſence of thoſe whom it concerns, who ſhall alſo have a Copy of the ſaid Envoyce from the Judge.

XVIII. That the Commanders and Maſters of thoſe Ships which take Prizes at Sea ſhall not carry away the Captain, Maſter, or any Mate, or Mariner, unleſs for the ſake of examining them. And in that caſe they ſhall not take above two or three, who ſhall be carry'd within the ſpace of 24 hours to the Judge of the Admiralty; or if none happens to be there, they ſhall be carry'd before the Magiſtrate or Officers of the Place, who ſhall examine them: and after the ſpace of Time aforeſaid ſuch

Judge

Judge or Magiſtrate ſhall diſmiſs them freely every one to their own Buſineſs, and the Contravener ſhall ſuffer corporal Puniſhment.

XIX. That neither of the Confederates ſhall receive any Pirates or Robbers into any of their Ports, Havens, Citys or Towns; nor ſhall they permit them to be receiv'd by their People or Inhabitants, or to be harbour'd, aſſiſted or ſupported, but ſhall uſe their Endeavour that ſuch Pirates and Robbers, and their Piratical Accomplices, Partners and Aſſiſtants, ſhall be purſued, apprehended and puniſh'd, as they deſerve, for a Terror to others; and that all Ships, Goods and Merchandize piratically taken from them and brought into the Ports of either Confederate, as much as can be found thereof, altho they have been already ſold to others, ſhall be reſtored to the right Owners; or that Satisfaction ſhall be made either to their Owners, or to thoſe who ſhall lay claim to the ſame by virtue of Letters of Attorney; provided the Owner's Right appear, from due Proofs according to Law in the Court of Admiralty. And that whatever Goods ſhall be recover'd by them ſhall be carry'd into the Harbours of the other Confederate, and be deliver'd to the Cuſtody of the Officers of the ſaid Port, who ſhall be liable to the Peril of being reſponſible for the ſame, if the ſaid Goods are not reſtor'd without Delay to their Owners, after Proof firſt made of the true Property thereof before the Judges of thoſe Places where the Goods ſo taken were put on board the Ship: nevertheleſs the Perſons accuſed ſhall be allow'd to try their Right by Law, and to plead their own Cauſe.

XX. That neither of the ſaid Partys ſhall ſuffer or permit the Ships or Goods of the other Party, which ſhall happen at any time to be taken by the Rebels of the other Party, under colour or by virtue of any Commiſſion whatſoever, and carry'd into the Ports, Havens or Places of the other's Dominion, to be alienated from the right Owners; but that the ſame ſhall be reſtor'd to them or their Attorneys, after Proof made of the right Owner according to Law. And till ſuch time as the Proprietors or their Attorneys reclaim them, the Officers of thoſe Places whither the Ship, Goods and Merchandize ſhall be carry'd, ſhall detain and lay them up ſafe, ſo that no part of them be loſt or embezzeled.

XXI. That if the People or Subjects of either of the Confederates be forc'd by tempeſtuous Weather, by the

Fear

Fear of Enemys, or other Dangers of the Sea, to enter into the Ports of the other, or to caſt Anchor there, it ſhall be free for them to depart, nor ſhall they pay Duty for any Merchandize imported or exported. Provided that they do not take out or ſell any of their Goods, and that they give notice of their Arrival and the Cauſe of it, as ſoon as they come, to the Magiſtrate and Officers of the Place; and as ſoon as they are freed from the Apprehenſion of the Danger that drove them in, they ſhall depart out of the Harbour.

XXII. That the People and Inhabitants of the ſaid Republick ſhall freely and ſecurely ſail and traffick to all the Kingdoms, Dominions, and Territorys, which cultivate Peace, Friendſhip, or Neutrality with the ſaid Republick, without being moleſted by the Ships or Subjects of the ſaid King, altho there ſhou'd happen to be ſome Enmity and Hoſtility between the ſaid King and thoſe Kingdoms, Dominions, or Territorys. And the ſame ſhall likewiſe be obſerv'd on the part of the ſaid Republick to the Subjects and Inhabitants of *France*. Provided no ſuch Trade be carry'd on to any Port or Town, which is beſieg'd by either of the Confederates, and that neither Party, nor the People or Subjects of either ſhall import prohibited and contraband Goods to thoſe Kingdoms, Dominions or Territorys, which are at Enmity and carry on Hoſtilitys againſt the other: And that the 15th Article concerning prohibited and contraband Goods, and Towns and Places beſieg'd, ſhall be kept and obſerv'd on both ſides.

XXIII. That both Partys ſhall take care that Juſtice be render'd expeditiouſly and incorruptibly, according to the Rules of Law and Equity, to the Subjects or People of one another, in all Cauſes either at preſent depending, or thoſe which hereafter ſhall depend in one another's Dominions and Territorys; and that all Sentences and preceding Conventions, which either Party, or the People and Subjects of either, have obtain'd or enter'd into for their own Advantage in the Lands of either, may be ratify'd; and that in the proſecution thereof Juſtice may be done with Diſpatch, but not to the Inconveniency of thoſe who ſue for their Right.

XXIV. And whereas ſince the Year 1640 many Prizes have been taken at Sea, and both Nations, their People and Subjects, have ſuffer'd many Loſſes, 'tis agreed that three

three Commiſſioners ſhall be appointed on both ſides immediately after the Ratification of the preſent Treaty, who ſhall be ſufficiently authoriz'd to conſider, examine, eſtimate and explain ſuch Prizes and Loſſes, and to determine and decree the Compenſation, Payment and Satisfaction for them, according to the Demands which ſhall be produc'd and exhibited before them by either Party, their People and Subjects, within three Months to be reckon'd after the Publication of this Treaty: for which purpoſe the Commiſſioners ſhall meet in the City of *London*, within ſix Weeks after the ſaid Publication, and, if poſſible, ſhall determine the ſaid Controverſys within five Months next enſuing; but if the ſaid Commiſſioners ſhall not agree within the ſpace of ſix Months and a Fortnight, then the ſaid Controverſys, which remain undetermin'd, ſhall be referr'd, as they are by theſe Preſents referr'd, to the Arbitration of the Republick of *Hamburgh*, to be decided within four Months, to be computed from the Expiration of the aforeſaid ſpace of Time limited by the Commiſſioners. And that the ſaid Republick of *Hamburgh* ſhall be deſir'd, as it is by theſe Preſents deſir'd, to aſſume that Arbitration, and to delegate Commiſſioners to give Judgment concerning the Premiſes, in ſuch convenient place as by the ſaid Commiſſioners ſhall be appointed; and whatſoever ſhall be determin'd by the ſaid Arbitrators or Commiſſioners ſhall bind both Partys, and be perform'd *bonâ fide* within ſix Months next enſuing. Provided nevertheleſs, that if neither the ſaid Commiſſioners appointed by both Partys, nor the ſaid Arbitrators do not determine the ſaid Controverſys within the time preſcrib'd, no body ſhall on that account be put to any Trouble; nor ſhall the old Letters of Marque be reſtor'd to their full Force, nor other new ones granted within the Space of four Months after the Expiration of thoſe four Months, which are preſcrib'd to the City of *Hamburgh* for the Determination of the ſaid Controverſys.

XXV. And whereas three Forts, *viz. Pentacoet*, *St. Jan*, and *Port Royal*, lately taken in *America*, together with the Goods therein found, wou'd be reclaim'd by the abovemention'd Lord Ambaſſador of his ſaid Majeſty, and the Lords Commiſſioners of his Highneſs wou'd argue from certain Reaſons that they ought to be detain'd, 'tis agreed that ſuch Controverſy ſhall be refer'd, as it is by theſe

Preſents

Preſents refer'd to the ſame Commiſſioners and Arbitrators, to be determin'd in the ſame manner and time, as the Loſſes ſuſtain'd by both Partys ſince the Year 1640, and referr'd to in the laſt Article.

XXVI. For the better promoting of Commerce on both ſides 'tis concluded, that if a War ſhou'd break out between the ſaid Republick and the ſaid Kingdom, ſix Months ſpace after the Proclamation of War ſhall be granted to the Merchants, in the Citys and Towns where they live, for ſelling and tranſporting their Goods and Merchandize; and if any thing be taken from them, or any Injury be done them within that Term by either Party, or the People or Subjects of either, full Satisfaction ſhall be given them.

XXVII. And if it happen that while this Treaty, Friendſhip and Union ſubſiſts, any thing be done or attempted contrary to this Treaty, or any Member of of it, by any of the People or Inhabitants of either Party, by Sea, by Land, or on the freſh Waters, this Friendſhip, League and Union between theſe Nations ſhall not therefore be infring'd, but ſhall nevertheleſs continue entire and in full force. Only they who break the ſaid Treaty ſhall be puniſh'd, and none elſe; and Juſtice ſhall be done and Satisfaction given to all thoſe whom it concerns, by all thoſe, who by Land, Sea, or on the freſh Waters, act any thing contrary to this Treaty, within the ſpace of a Year after Juſtice ſhall be demanded. But if the Breakers of the League don't appear, nor ſurrender themſelves to Trial, nor give Satisfaction within the Term preſcrib'd, they ſhall be deem'd Enemys to both Partys, and their Eſtates ſhall be confiſcated and ſold, to make due Satisfaction for the Injurys by them committed: and moreover, when their Perſons happen to be in the power of either Party, they ſhall be liable to thoſe Puniſhments which their reſpective Crimes deſerve.

XXVIII. 'Tis alſo agreed and concluded, that the preſent Treaty, and all and ſingular the things therein contain'd and comprehended, ſhall be confirm'd and ratify'd by Letters Patent of both Partys, ſeal'd with the Great Seal in due and authentick Form, within a Fortnight next enſuing, or ſooner if poſſible; and that reciprocal Inſtruments ſhall within the ſaid Term be exchang'd on both ſides, and the preſent Treaty and Confederacy immediately

diately after the Delivery and Exchange of the Inſtruments, ſhall be proclaim'd in the uſual Form and Place.

'Tis agreed and concluded on both ſides, that the High and Mighty Lords the States General of the *United Provinces*, with all and ſingular their Dominions and Territorys, ſhall be comprehended and included, as they are by theſe Preſents comprehended and included, in the Treaty betwixt *England* and *France*, dated at *Weſtminſter*, *November* 3, *N. S.* Anno 1655. as are alſo all the Friends and Allys of both States, who ſhall deſire to be included in the ſaid Treaty within three Months next enſuing the date of theſe Preſents. In Witneſs whereof, we the Commiſſioners of his moſt Serene Highneſs the Protector of the Republick of *England*, *Scotland* and *Ireland*, &c. have ſet our Hands and Seals to theſe Preſents. Done at *Weſtminſter*, *November* 3, 1655.

(L. S.) *Nath. Fiennes.*
(L. S.) *Walter Strickland.*

That there may be no Room hereafter for Suſpicions, the Ambaſſador of the King of *France* and *Navarre* engages and promiſes, in the Name of his moſt Chriſtian Majeſty, to the Lord Protector of the Republick of *England*, *Scotland* and *Ireland*, &c. That the Perſons whoſe Names are mention'd in the Liſt hereunto annex'd, and ſubſcrib'd by the Lords Commiſſioners, ſhall not ſtay, neither they nor any one of them, in the Kingdom of *France* beyond 40 days after the Exchange of the Ratifications of the Treaty ſign'd this day; nor ſhall they, or any one of them return, or at any time hereafter be admitted into the ſaid Kingdom. For the ſame reaſon, the Perſons whoſe Names are mention'd in another Catalogue hereunto annexed, and ſubſcrib'd by the ſaid Lord Ambaſſador, neither they, nor either of them ſhall ſtay in the ſaid Republick above 40 days after the Exchange of the Ratifications of the ſaid Treaty by both Partys, nor ſhall they or any of them be at any time hereafter admitted thereinto. And moreover, it is agreed and concluded on both ſides, by virtue of the Powers granted to both, that altho the preſent Article, which ſhall be accounted a ſecret Article, be not inſerted in the Treaty aforeſaid, yet it ſhall obtain the ſame Force and Vigor, and ſhall be ratify'd in the ſame manner and form as the Treaty aforeſaid.

Thoſe

Thoſe to be baniſh'd out of *England* were *Mariſin* the elder, *Cugnac*, *Trancart*, *Mazerolles*, *Barriere*, *S. Mars*, *Conan*, *Deſert*, *Blaru*, *Taudin*.

And thoſe to be baniſh'd out of *France* were *Charles* eldeſt Son of *Charles* late King of *England*, *James* Duke of *York*, *Henry* Duke of *Glouceſter*, after ten years, if requir'd: The Lord of *Ormond*, Sir *Edward Hyde*, Sir *John Culpepper*, Lord *Gerrard*, *Daniel Oneale*, Lord *Wilmot*, Sir *Marmaduke Langdale*, Sir *Edward Nicholas*, Lord *Wentworth* eldeſt Son of the Earl of *Cleveland*, Sir *Richard Greenville*, Sir *Francis Doddington*, Sir *John Berkley*, the Lord *Bellaſis*, *O Sullivan Beare*, Lieutenant General *Middleton*, Lord *Muskerrie* the Father, Major General *Edward Maſſey*.

A Poſterior Article for including the Lords the States General of the United Provinces *of the* Netherlands. *Done at* Weſtminſter *the* 23*d of* November O. S. *and the* 3*d of* December N. S. 1655.

It is agreed and concluded on both ſides, That the States General of the *United Provinces* of the *Netherlands* ſhall be comprehended and included in the Treaty of Peace made betwixt *France* and *England*, dated at *Weſtminſter* the 3d day of *November* N. S. 1655. as they are by theſe Preſents therein comprehended and included, with all and every the Dominions and Territorys to them belonging: As are alſo all the Allies and Confederates of both States, who ſhall deſire to be included in the ſaid Treaty within the Space of three Months next enſuing the date of theſe Preſents. In Witneſs whereof we the Ambaſſador of his moſt Chriſtian Majeſty have confirm'd theſe Preſents with our Hand and Seal. Done at *Weſtminſter* the 23*d* of *November* O. S. 1655. And the ſaid Article was accordingly ſign'd

DE BORDEAUX.

Treaty between Charles Guſtavus *King of* Sweden, *and* Oliver Cromwell *Protector of* England; *whereby the Treaty of Alliance made between thoſe two States the* 11*th of* April 1654, *is confirm'd and explain'd. Done at* London, Anno 1656.

I *Chriſtiern Bonde*, Free Baron of *Laybela*, Lord of *Ymfiſholm*, *Bordſoo* and *Springeſtadt*, &c. Senator of the Kingdom of *Sweden*, and of the moſt Serene and Potent Prince and Lord, the Lord *Charles Guſtavus*, by the Grace of God King of the *Swedes*, *Goths* and *Vandals*, Great Prince of *Finland*, Duke of *Eſthonia*, *Carelia*, *Bremen*, *Verden*, *Stetin*, *Pomerania*, *Caſſuben* and *Vandalia*, Prince of *Rugen*, Lord of *Ingria* and *Wiſmar*, alſo Count Palatine of the *Rhine*, and Duke of *Bavaria*, *Juliers*, *Cleves* and *Mons*, and Ambaſſador Extraordinary from that Prince to the moſt Serene and moſt High *Oliver* Lord Protector of *England*, *Scotland* and *Ireland*, and the Dominions thereof, and to the Republick of *England*; do hereby make known and teſtify to all and every one whom it concerns, or whom it may in any meaſure concern, That whereas in the Treaty made at *Upſal*, the 11th of *April* 1654, between the moſt Serene and Potent Princeſs *Chriſtina*, by the Grace of God Queen of the *Swedes*, *Goths* and *Vandals*, Great Princeſs of *Finland*, Ducheſs of *Eſthonia*, *Carelia*, *Bremen*, *Verden*, *Stetin*, *Pomerania*, *Caſſuben* and *Vandalia*, Princeſs of *Rugen*, Lady of *Ingria* and *Wiſmar*, and the Kingdom of *Sweden*, and the ſaid Lord Protector of the Republick of *England*, &c. certain Affairs, relating as well to the Eſtabliſhment of mutual Friendſhip, as to the Advantages of Commerce and Navigation, were deferr'd to a more convenient Time. And whereas it hath ſeem'd good to his ſaid moſt Serene Royal Majeſty of *Sweden*, to ſend me over to *England*, veſted with ſufficient Powers to tranſact the ſame, and the other

other Affairs which follow; therefore after a Conference with the Lords Commiſſioners of the ſaid moſt Serene Lord Protector, *viz.* the moſt noble Lord *Nathaniel Fiennes*, one of the Keepers of the Great Seal, and of his Highneſs's Privy Counſellors, Sir *Bulſtrode Whitlock* Knight, one of the Commiſſioners of his Highneſs's Treaſury, and Conſtable of *Windſor Caſtle*, and *Walter Strickland* Eſq; both Members alſo of his Highneſs's ſaid Privy Council, furniſhed with ſufficient Powers and Commands for this purpoſe; and after we had mutually imparted our Opinions, and maturely conſider'd the following Points, we agreed as is clearly and perſpicuouſly expreſs'd in the words of the under written Articles.

I. It ſhall be lawful for either of the Confederates to raiſe any Soldiers and Seamen by Beat of Drum within the Kingdoms, Countrys and Citys of either; and alſo to hire Men of War and Ships of Burden, obſerving only the following Conditions.

1. Whichſoever of the Confederates deſires to have a Muſter, he ſhall notify his Intention to his Ally, and ſpecify the Places in which he thinks ſuch Levys may moſt conveniently be made; and if the Condition of the other Ally will not permit that the Levy ſhou'd be made in that Place, then the other, being ſo requir'd, ſhall appoint another Place more convenient for his Purpoſe, and as little as poſſible to the Detriment of both Partys.

2. As to the number of Soldiers to be rais'd, or of Ships to be hir'd, Regard ſhall be had to the Affairs and Circumſtances of that Confederate in whoſe Kingdoms and Dominions the Muſters are to be made; leſt if a greater number of Forces be requir'd than is fitting, the other ſhou'd find the want of them, or be diſappointed of them for his own Occaſions.

3. When Soldiers are rais'd in that Country, they ſhall not take Arms, nor ſo much as on board the Ships, till they come within twenty Leagues of the Place where they are to be ſet aſhore.

4. The Colonels or Captains ſhall raiſe no Soldiers who are already enter'd into the Pay of another King or State, nor ſhall they entice any from their Colours.

5. The Soldiers, Sailors, and Ships, rais'd or hir'd, as above, in the Kingdoms and Countrys of either of the Confederates, ſhall not be rais'd againſt the Friends or Allies of the other, to the violation of the Treatys concluded

and now ſubſiſting between one another and their Allies.

II. Whereas in the XIth Article of the Treaty lately made at *Upſal* in 1654, betwixt *England* and *Sweden*, it was agreed and ſpecify'd what Goods and Merchandize ſhou'd hereafter be declar'd contraband and prohibited; 'tis now by virtue of the ſaid Article eſtabliſh'd, that only thoſe hereafter mention'd ſhall be reckon'd prohibited, and conſequently not to be diſpos'd of to the Enemys of either, *viz.* Bombs with their Fuſees and other Appurtenances, Fire-balls, Gun-powder, Matches, Cannon-ball, Spears, Swords, Lances, Pikes, Halberts, Guns, Mortars, Petards, Granadoes, Musket-Reſts, Bandaliers, Salt-petre, Muskets, Musket-Balls, Helmets, Head-pieces, Breaſt-plates, Coats of Mail, Cuiraſſes, and the like kind of Arms; Soldiers, Horſes, with all their Furniture, Piſtols, Houlſters, Belts, and all other warlike Inſtruments; and alſo Ships of War. Money ſhall alſo be reckon'd among the Goods with which the Enemys are not to be ſupply'd, and which it ſhall not be lawful to carry to the Enemys of either, any more than the Things abovemention'd, on the penalty of being made Prize without hopes of Redemption, if they are ſeiz'd by either of the Confederates. Nor ſhall either of the Confederates permit that the Enemys or Rebels of the other be aſſiſted by any of their Subjects, or that their Ships be ſold, lent, or in any manner made uſe of by the Enemys or Rebels of the other, to his Diſadvantage or Detriment.

III. But it ſhall be lawful for either of the Confederates, and his People or Subjects, to trade with the Enemys of the other, and to carry them any Goods whatſoever, which are not excepted as above, without any Impediment: Provided they are not carry'd to thoſe Ports or Places which are beſieg'd by the other; in which caſe they ſhall have Leave either to ſell their Goods to the Beſiegers, or to repair with them to any other Port which is not beſieged.

IV. Whereas in the XIth Article of the Treaty concluded at *Upſal* the 11th of *April*, 1654. between *Sweden* and *England*, it was agreed, that altho it was precaution'd and prohibited by the preceding Articles that either of the Confederates ſhould give Aid and Aſſiſtance to the Enemys of the other, yet it ought not to be underſtood, that that Confederate who is not involv'd in War with the Enemy of the other, ſhall not be allow'd to carry on Trade

Trade with the ſaid Enemy of that Confederate: but it was only provided thereby, till there ſhou'd be a farther Agreement concerning this Matter, that no Goods or Merchandize which we commonly call Contraband ſhall be carry'd to the Enemy of the other, without danger of being made Prize, and without hopes of Redemption, if they are ſeiz'd by the other Confederate. In like manner, whereas by the XIIth Article of the ſaid Treaty, for the evading of all Suſpicions, leſt the Navigation or Commerce of one of the Confederates, whether by Land or Sea, ſhou'd be carry'd on during War to the Prejudice of the other Confederate, or leſt the Goods of Enemys ſhou'd be carry'd under the diſguiſe of the Goods of Friends, it was ſtipulated and concluded, that all Ships, Carriages, Wares and Men, belonging to the other of the Confederates, ſhou'd be furniſh'd in their Journey and Paſſage with Safe Conducts, commonly call'd Paſſports, and Certificates, ſign'd by the chief Governor or Magiſtrate of that Province and City from whence they came; and that thoſe Forms of the Paſſports and Certificates were to be obſerv'd on which the Confederates ſhou'd mutually agree on both ſides; and when the Merchandize, Goods, Ships, Men of either of the Confederates, and his Subjects and Inhabitants, ſhall meet or be met by the Ships of War, publick or private, or the Subjects and Inhabitants of the other Confederate, in the open Sea, Straits, Harbours, Havens, Lands and other Places, whereſoever or howſoever they ſhall come together, after producing only their Safe Conducts and Certificates nothing farther ſhould be demanded of them, no Inquiry whatſoever ſhould be made into the Ships, Goods, or Men, much leſs ſhould they be injur'd, damag'd or moleſted; but ſhould be freely let go to proſecute their Journey and Purpoſe, as is above ſignify'd.

And whereas by the XIVth Article it was ſtipulated, that the ſaid Treaty and Confederacy ſhould derogate nothing from any Preheminence of Right and Dominion whatſoever of either of the Confederates, in any of their Seas, Straits and Waters whatſoever, but that they ſhou'd have and retain the ſame to themſelves in as ample a manner as they had all along enjoy'd them, and as by Right to them belong'd; Now therefore that a fitting Draught of ſuch Certificates and Paſſports may be form'd and obſerv'd, which may be anſwerable to the meaning of

the aforeſaid Articles, 'tis agreed and concluded on both ſides, That for avoiding all Frauds and Concealments whatſoever of the Enemys Goods, and all occaſions of Quarrels as to any Certificates and Paſſports, ſuch Forms as are under-written *verbatim* ſhall be obſerv'd, and ſubſcrib'd and ſign'd by the chief Magiſtrate of that Province and City from whence they come; that then the true Names of the Ships, Carriages, Merchandize, and Maſters of the Ships be ſpecify'd; as alſo the punctual Days and Times, without any Fraud, together with other Deſcriptions of that ſort, which are expreſs'd in the following Form of a Safe Conduct or Certificate. Wherefore, if any Perſon who ſhall declare upon the Oath by which he is bound to his King, State, or City, that he has given in a true Account, be convicted by ſufficient Proof of having conceal'd any Fraud by his Permiſſion under his ſaid Declaration, he ſhall be ſeverely puniſh'd as a tranſgreſſor of the ſaid Oath.

We *N. N.* Governour or Chief Magiſtrate of the Province or City of *N.* (the Title or Office of the reſpective Government of that Place being added) do make known and certify, that on the day of the Month of A° *N. N. N.* Citizens and Inhabitants of *N.* and who are engag'd and bound as Subjects of his moſt Serene Royal Majeſty of *Sweden*, and to our City, or of the moſt Serene Lord Protector our moſt Gracious Lord, and to our City, perſonally appeared before us in the City or Town of *N.* in the Dominion (of his moſt Serene Royal Majeſty of *Sweden*, or of the moſt Serene Lord Protector of *England*, juſt as it ſhall happen) and declar'd to us, that the Ship or Veſſel call'd *N.* of about Laſts or Tuns, belongs to the Port, City or Town of *N.* in the Dominion of *N.* and that the ſaid Ship does rightfully belong to him or other Subjects of his moſt Serene Royal Majeſty of *Sweden*, or of the moſt Serene Lord Protector, that ſhe is now bound directly from the Port *N.* to the Port *N.* laden with the following Merchandize, *viz.* [here ſhall be ſpecify'd the Goods, with their Quantity and Quality; for example, about ſo many Cheſts or Bales, Hogſheads, *&c.* according to the quantity and condition of the Goods] and affirm'd upon Oath to the aforeſaid *N.* that the ſaid Goods or Merchandize belong only to the Subjects of his moſt Serene Royal Majeſty of *Sweden*, the moſt Serene Lord Protector of *Eng-*

England; or expreſſing to whatever other Nation they belong, and that *N. N. N.* have declar'd upon their ſaid Oath that the ſaid Goods above ſpecify'd, and no others, are already put on Board or are to be put on Board the above-nam'd Ship for the ſaid Voyage, and that no part of thoſe Goods belongs to any one whatſoever, but the Perſons abovemention'd; and that no Goods are diſguis'd or conceal'd therein by any fictitious name whatſoever, but that the Merchandize abovemention'd is truly and really put on Board, for the uſe of the ſaid Owners and no others; and that the Captain of the ſaid Ship nam'd *N. N.* is a Citizen of the City of *N.* Therefore whereas after ſtrict Examination by us the abovemention'd (Governour or chief Magiſtrate of the City aforeſaid) it fully appears that the Goods on Board the ſaid Ship or Veſſel are free, and do truly and really belong to the Subjects of his moſt Serene Royal Majeſty of *Sweden*, or of the moſt Serene Protector, or to the Inhabitants of other Nations abovemention'd; We do moſt humbly and earneſtly require it of all and ſingular the Powers by Land and Sea, Kings, Princes, Republicks and Free Citys; alſo of the Generals of Armys, Admirals, Commanders, Officers and Governours of Ports, and all others to whom the Cuſtody of any Harbour or Sea is committed, which meet this Ship in her Voyage; or if ſhe happen to fall in, among, or paſs thro' their Squadrons, or to ſtay in their Harbours, that for the ſake of the Treatys and Friendſhip which ſubſiſt reſpectively between them, or whoever are his Superiors, and the moſt Serene King of *Sweden*, or the moſt Serene Lord Protector our moſt Gracious Lord, they will not only permit the ſaid Captain with the Ship *N.* and the Men, Goods and Merchandize to her belonging, to proſecute her Voyage freely without Lett and Moleſtation; but alſo, if he think fit to depart elſewhere from ſuch Harbour, that they will ſhew all kind Offices to him and his Ships as a Subject of his moſt Serene Royal Majeſty of *Sweden*, or of the moſt Serene Lord Protector, as they ſhall in like manner experience the ſame from our moſt Serene King, or our moſt Serene Lord Protector, and all his Miniſters and Subjects in the like or any other caſe. In Witneſs whereof we have taken care that theſe Preſents ſign'd by our Hands be ſeal'd with the Seal of our City. Given at our Court.

V. Neither of thoſe Confederates ſhall ſuffer the Ships, Veſſels, Goods or Merchandize of the other, or of his People or Subjects, which are taken at Sea or elſewhere by Enemys or Rebels, to be brought into their Ports or Dominions, but ſhall publickly forbid any thing of that kind to be done; and if any Ships, Veſſels, Goods or Merchandize of either, or his People or Subjects, taken at Sea or elſewhere, ſhall be carry'd into the Ports or Countrys of the other by any Enemy or Rebel of the Confederates, or either of them, that Confederate into whoſe Harbours they ſhall be carry'd, ſhall not ſuffer the ſame or any part thereof to be ſold in that Port, or any other place in their Dominion; but ſhall take care that the Maſter of the Ship or Veſſel ſo taken, as alſo the Mariners and Paſſengers, ſhall as ſoon as they arrive, be immediately ſet at Liberty, together with all the Priſoners, Subjects of either Kingdom or Republick, as many as ſhall be brought thither; nor ſhall he permit the ſaid Ship and Veſſel to ſtay in that Harbour, but ſhall command the ſaid Ship with her Goods, Merchandize and Lading, immediately to leave the Harbour. Provided nevertheleſs, that nothing in this Article be turn'd to the prejudice of the Treatys formerly enter'd into by either of the Confederates with other Nations; and where theſe things don't interfere, the above Article ſhall remain in full Force.

VI. It ſhall be free for the Men of War and Guard-ſhips of either of the Confederates to enter into the Ports, Havens or Rivers of the other, where ſuch Ships uſe to repair, and there to caſt Anchor, ſtay, and to depart from thence without any Injury or Moleſtation; provided theſe Conditions are obſerv'd.

1. That it ſhall not be free to carry into the Harbours of the Confederate any Squadron, exceeding five or ſix Ships, without giving ſome notice thereof beforehand.

2. That the Commander of the Squadron and Ships ſhall without delay exhibit his Letters of Safe Conduct to the Governour of the Caſtle, Fort, City or Province, or acquaint the Magiſtrate of the Place where he arrives with the reaſons of his coming, and for what end, and how long he deſigns to ſtay in that Port or Haven.

3. That ſuch Ships ſhall not come or ſtay nearer to thoſe Caſtles or Forts than is convenient.

4. That the Mariners, Ships Companys and Soldiers, ſhall not go aſhore in Bodys above 40 at a time, nor in any Number that may give Suſpicion. 5. That

5. That while they are there they ſhall not do any Damage to any Perſon, not ſo much as their Enemys; and above all ſhall not ſtop or obſtruct the paſſage of any Merchant Ships whatſoever, into or out of the Harbour.

6. That they ſhall not leave their Station for the ſake of infeſting the Navigation of any Nation whatever.

7. That they ſhall in all reſpects live and behave modeſtly, quietly and conformably to the Laws and Cuſtoms of every Place, and have ſpecial Regard to the reciprocal Friendſhip between the Confederates. Where the Terms aforeſaid are rightly obſerv'd according to the true meaning of the words, it ſhall be lawful for the Men of War of either Confederate to keep upon the Coaſts, and continue in the Harbours of the other Confederate, whether for avoiding Tempeſts and Enemys, or for rendezvouſing and aſſembling Merchant-Ships, or any other juſt cauſes. But if either of the Confederates ſhall think it advantageous or neceſſary to enter the Ports of the other Confederate with a greater Number of Ships, and to enjoy the Conveniencys thereof, he ſhall ſignify the ſame to his Confederate two Months beforehand, during which time the ways and means of admitting the ſame ſhall be ſettled.

VII. Whereas it is provided by the aforeſaid Treaty at *Upſal*, that Satisfaction ſhould be given for the Loſſes which either of the Confederates or his People or Subjects ſuſtain'd from the other, or his People or Subjects, during the War between the Republick and the States of the *United Netherlands*, 'tis now agreed, that three Commiſſioners ſhall be delegated and deputed on each ſide, who ſhall take Cognizance of, and decide all thoſe Diſputes; which Commiſſioners ſhall meet at *London*, the firſt day of *January* next. And the three Commiſſioners abovemention'd, ſo choſen and deputed on both ſides, ſhall have power to take all thoſe things into their Conſideration which ſhall be exhibited or propos'd on both ſides, and which happened in the ſaid Period, as well concerning the Reſtitution of the Ships or Goods hitherto detain'd, as the Satisfaction for Loſſes ſuſtain'd by the detaining of the Ships of either of the Confederates, which are already or ſhall hereafter be releaſed; or if it can be conveniently done in any other manner, they ſhall judge

of

of them ſummarily, according to Right and Reaſon, without any Appeal or Forms of Law; and both Partys ſhall make it their chief Buſineſs and Endeavour that what is juſt and right be tranſacted in the Controverſys aforeſaid without any delay, and that what is taken away be reſtor'd, and Satisfaction perform'd and made fully and really for the Loſſes and Expences, according to the Tenor of the XIIIth Article of the aforeſaid Treaty at *Upſal*. But if the ſaid Commiſſioners cannot agree in any Reaſons or Foundations whatſoever of the Proofs relating to ſuch Reſtitution or Satisfaction, then thoſe Differences ſhall be left to another Convention of the Confederates. And that this may be done with the leaſt loſs of time, they ſhall uſe their endeavour to finiſh the Cognizance of all theſe matters in queſtion within ſix Months after the firſt meeting; and the Reſtitution and Satisfaction for thoſe Loſſes ſhall be made and perform'd fully and without delay, within the ſpace of a Month after Sentence is paſs'd, by that King or State whoſe Subjects ſhall be doom'd to perform the Satisfaction.

VIII. The Subjects of the ſaid moſt Serene Lord Protector and the ſaid Republick ſhall alſo hereafter enjoy all the Prerogatives in the ſeveral Branches of Trade, which they us'd to carry on in *Pruſſia* and *Poland*, or elſewhere in the Dominions of the ſaid moſt Serene King of *Sweden*, which they enjoy'd heretofore, in preference to other Nations; and if at any time they deſire farther Privileges, their Deſires ſhall be gratify'd by all the means poſſible: And if the ſaid moſt Serene King of *Sweden* ſhall grant greater and more ample Privileges than the abovemention'd in *Poland* and *Pruſſia* to any Nation beſides, or People not ſubject to him, or ſhall ſuffer any Nation or People to enjoy ſuch larger Privileges there, then the People and Citizens of this Republick ſhall enjoy the ſame Privileges in all reſpects, after they have deſir'd it of his moſt Serene Royal Majeſty. And moreover, if any Edicts that have been publiſh'd ſince 1650 happen to be burdenſom to the *Engliſh* and *Scots*, dwelling or trading in *Poland* and *Pruſſia*, the ſame ſhall after this time be of no force, as far as it can be render'd ſo in the Dominions of the moſt Serene King of *Sweden*; but the Subjects of the ſaid Lord Protector ſhall hereafter be entirely free from thoſe Burdens.

IX. As

IX. As to the Commerce to be carry'd on in *America*, 'tis expreſsly provided by Law, that the Subjects of no Republick beſides ſhall be impower'd to trade there in common without a ſpecial Licenſe; but if any of the Subjects of the moſt Serene King of *Sweden*, furniſh'd with his Recommendations, ſhall privately ſollicit ſuch Licenſe of the Lord Protector to trade to any of thoſe Colonys whatſoever, he will in this reſpect comply with the Deſire of his moſt Serene Royal Majeſty of *Sweden*, as far as the State of his Affairs and of the Republick will for that time permit.

X. It ſhall be free for the Subjects of the moſt Serene King of *Sweden*, to fiſh and catch Herrings and other Fiſh in the Seas and on the Coaſts which are in the Dominion of this Republick, provided the Ships employ'd in the Fiſhery don't exceed a thouſand in number: Nor while they are fiſhing ſhall they be any ways hinder'd or moleſted; nor ſhall any Charges be demanded on the account of the Fiſhing by the Men of War of this Republick, nor by thoſe who are commiſſion'd privately to trade at their own expence, nor by the Fiſhing Veſſels on the Northern Coaſts of *Britain*, but all Perſons ſhall be treated courteouſly and amicably, and ſhall be allow'd even to dry their Nets on the Shore, and to purchaſe all neceſſary Proviſions from the Inhabitants of thoſe Places at a fair Price.

XI. 'Tis alſo agreed and concluded, that the preſent Treaty, and all and ſingular the things therein contain'd and included by the aforeſaid Ambaſſador of his ſaid moſt Serene Royal Majeſty of *Sweden*, and the Commiſſioners of the moſt Serene Lord Protector, ſhall be confirm'd and ratify'd within four Months next enſuing (or ſooner if poſſible) by the Letters Patent of the ſaid King and Protector, ſeal'd in due and authentick form with their great Seal; and that the mutual Inſtruments ſhall be exchang'd on both ſides within the Term aforeſaid.

The

The Commiſſion from the moſt Serene Lord Protector.

OLIVER, Protector of the Republick of *England*, *Scotland* and *Ireland*, &c. To all and ſingular to whom theſe Preſents ſhall come, Greeting. Know ye, That whereas in the Treaty made at *Upſal* between us and the moſt Serene and Potent Princeſs *Chriſtina*, &c. ſome Points relating to the Eſtabliſhment of a mutual Amity, and to the Advantages of Trade and Navigation, were adjourned to a more convenient opportunity; and whereas the moſt Serene and Potent Prince and Lord *Charles Guſtavus*, &c. hath ſent to us as his Ambaſſador the moſt noble Lord *Chriſtiern Bonde*, &c. veſted with full Powers to tranſact thoſe and other Affairs; we being entirely ſatisfy'd of the Probity, Fidelity, Care and Prudence of our well beloved *Nathaniel Fiennes*, &c. *Bulſtrode Whitlock*, &c. and *Walter Strickland*, &c. have by the advice of our Council, made, conſtituted, and appointed, and by theſe Preſents do make, conſtitute, and appoint them our true and undoubted Commiſſioners, Plenipotentiarys and Deputys, giving and granting to them, or any two of them, full Authority and Power, and a general and ſpecial Command, to treat, conclude and determine with the ſaid Lord Ambaſſador of the ſaid moſt Serene King, of and concerning all the Premiſes, under ſuch Regulations, Heads, Forms, Promiſes, Reſtrictions and Securitys, which they ſhall think requiſite for the due obſervation of the Conventions. And whatſoever our ſaid Commiſſioners ſhall agree and conclude with the ſaid Lord Ambaſſador, we promiſe *bonâ fide* (obliging ourſelves and our Succeſſors by theſe Preſents) to obſerve, perform and ratify in every point, in the beſt manner poſſible, as if we ourſelves were preſent. In Witneſs whereof we have ſign'd theſe Preſents with our own Hand, and caus'd our Great Seal of *England* to be affix'd to them. Given at our Palace of *Weſtminſter* the 15th day of *July* O. S. *Anno* 1656.

OLIVER, P.

The

The Commiſſion of his moſt Serene Royal Majeſty of Sweden.

WE *Charles Guſtavus*, &c. &c. do certify, and make known, that whereas it is natural to thoſe who are in the moſt ſincere Friendſhip, to deſire that the ſame may be improv'd and increas'd every day; and whereas 'tis for the common Intereſt of our Kingdom, and of the Republick of *England*, *Scotland*, and *Ireland*, and of our good Friend the moſt Serene and moſt High *Oliver* Lord Protector of that Republick, and the Dominions thereof, that we ſhou'd concert a cloſer League than what has been hitherto, eſpecially at this time, when 'tis very manifeſt that many Perſons are conſpiring our Deſtruction:

We have therefore given it in Command, as we do by theſe Preſents in the beſt Form command and commiſſion our well-beloved Lord *Chriſtiern Bonde*, &c. our Ambaſſador Extraordinary, a Man of known Prudence, Circumſpection and Probity, to treat, ſtipulate, and conclude a ſtricter League between us, and all things thereunto appertaining, with thoſe Perſons who ſhall be deputed with full Powers for that purpoſe, on the part of the Lord Protector, and of the ſaid Republick. And whatſoever our above-nam'd Ambaſſador Extraordinary ſhall tranſact, conclude, and eſtabliſh with the Plenipotentiarys of the Lord Protector and of the ſaid Republick, ſhall by us be ratify'd and perform'd to all Intents and Purpoſes. In Witneſs and Confirmation whereof, we have commanded theſe Preſents, ſign'd by our own Hand, to be ſeal'd with our Great Seal. Given at our Palace of *Stockholm* the 15th day of *June*, 1656.

CHARLES GUSTAVUS.

Canthersteen.

In Witneſs of all and ſingular the Premiſes, we the Commiſſioners of the moſt Serene and the moſt High Protector of the Republick of *England*, *Scotland*, *Ireland*, &c. by virtue of our aforeſaid Commiſſion, or full

Powers, have ſign'd the preſent Treaty, conſiſting of eleven Articles, with our Hands, and ſeal'd it with our Seals. Done at *Weſtminſter July* 17, *Anno* 1656.

A Convention relating to the ſecond Article in the Treaty betwixt Sweden *and* England. *Done at* Weſtminſter July 17, *Anno* 1656.

WHEREAS in the ſecond Article of the Treaty concluded at *Weſtminſter*, *Anno* 1656, betwixt *England* and *Sweden*, 'tis declar'd as a Point agreed and ratify'd by the Commiſſioners of the moſt Serene Protector, and by the Lord Ambaſſador of the moſt Serene King of *Sweden*, that only the Goods, Merchandize, and other things mention'd in that Article, ſhou'd hereafter be deem'd as Contraband, and publickly prohibited. And whereas the moſt Serene Lord Protector has propos'd by his Commiſſioners, and has ſtipulated with the aforeſaid Ambaſſador Extraordinary, that as long as the War continues betwixt the *Engliſh* and the *Spaniards*, none of the Goods and Merchandize following, ſhall under a penalty to be hereafter expreſs'd, be carry'd from the Dominions of the moſt Serene King of *Sweden*, to any part of the *Spaniſh* Dominions; and whereas to the intent that this might be granted with the more eaſe, it has been alſo propos'd that a Conference ſhould be held for aſcertaining the Price to be given by the *Engliſh* Merchants, for all thoſe Goods which ſhall come from the *Swediſh* Dominions; and whereas the aforeſaid Ambaſſador ſaid he cou'd not give his Conſent to the ſaid Demand, becauſe he had it not in his Inſtructions from his moſt Serene King, and therefore left it entirely to the Diſcretion of his moſt Serene Majeſty, 'tis declar'd by this Writing, that the ſaid ſecond Article, if the moſt Serene King will agree to and ratify it, ſhall be only ratify'd upon this Condition, That as long as the War continues betwixt the Republick of *England* and the *Spaniards*, neither his *Swediſh* Majeſty, nor any of his People, ſhall carry Pitch, Tar, Hemp, Cables, Sailcloth, or Maſts, to any places in the Dominions of *Spain*, but on the contrary, the ſaid King ſhall moſt expreſly forbid it; and if any ſuch Merchandize ſhall be carry'd thither contrary to this

this Agreement, the ſame ſhall be liable to be ſeiz'd by and forfeited to the *Engliſh*. Wherefore 'tis moſt expreſly provided, that if the ſaid King ſhall not conſent to it, then all the ſaid ſecond Article relating to contraband Goods (as alſo the third Article which depends thereupon) ſhall immediately become of no Force, and the Queſtion relating to the Specification of contraband Goods, ſhall remain in the ſtate that it was before the time there was any Treaty about it at *London*; nevertheleſs the reſt of the Articles ſhall remain in full Force. And moreover 'tis agreed and concluded on both ſides, by virtue of the ſeveral Powers granted to them; that altho the preſent Article be not inſerted in the ſaid Treaty, it ſhall be of the ſame Force and Virtue as the Treaty itſelf. Done at *Weſtminſter July* 17, 1656.

Nathaniel Fiennes, (L. S.)
Bulſtrode Whitlock, (L. S.)
Walter Strickland, (L. S.)

Treaty betwixt Lewis XIV. *King of* France, *and* Oliver Cromwell *Protector of* England. *Concluded* May 9, 1657.

WHEREAS the King of *France*, and the Lord Protector have concluded a firm and perpetual Alliance betwixt themſelves and their Subjects, in order to maintain the ſame inviolably there ſhall be added to it ſome new Articles, under the Title of *ſecretiſſimum inviolabile Fœdus*, which ſhall be drawn up and ſign'd by the Allies; the Tenor whereof follows.

I. The moſt Chriſtian King and the Lord Protector promiſe each other inviolably, that they will not in any manner, or under any Pretence or Denomination whatſoever,

ſoever, make any Union, Agreement, or Engagement with the King of *Spain*, or any other Potentate, who is an Enemy to both, or either of them, without giving timely notice beforehand, to the intent that both may know how to deal with his or their Enemys, or the Enemys of both Kingdoms.

II. In caſe that either of the Allies be under a Neceſſity of entring into a War with any Prince, Potentate, or Republick, who are at this preſent included in the Alliance with *France* or *England*, they ſhall both be oblig'd to act hoſtilely againſt him, who enters into War with *France* or *England*, to the end that the ſaid Party may receive Damage by all means, ſecretly or openly.

III. Therefore his moſt Chriſtian Majeſty, and the moſt invincible Lord *Oliver*, Protector of *England*, *Scotland* and *Ireland*, promiſe to aſſiſt each other reciprocally, or their Kingdoms, Provinces, and Citys, with Money, Troops, Ships, Guns, and every thing that may tend to ruin and deſtroy the Enemys of both.

IV. And foraſmuch as the Lords the States of the *United Provinces* of the *Netherlands* have done very great hurt to the moſt Chriſtian King, and affronted him in the Mediterranean, by their Vice Admiral *Ruyter*, who treacherouſly attack'd and took two of his Majeſty's Ships; his Majeſty taking it very much to heart, and being inclin'd to ſhew all the World how much he reſents it, in order to revenge ſuch an Affront, the Lord Protector ſhall be oblig'd to give him all manner of Aſſiſtance by Land and Sea, in order that the other Kings and Republicks may learn from this Inſtance, not to be ſo raſh and ill adviſ'd for the future as to offer any Affront or Injury to the moſt Chriſtian King, or to the Lord Protector, whoſe combin'd Forces are ſo powerful and ſo well united.

V. In order to avenge the ſaid Affront put upon his moſt Chriſtian Majeſty, the Lord Protector ſhall ſend a good number of ſtout Ships of War well mann'd, which for preventing all manner of Diſpute, ſhall be taken into the Service of *France*. But when the ſaid Lord Protector ſhall happen to have occaſion for them, they ſhall be diſcharg'd from the Oath taken to his Majeſty, and return to the Service of the ſaid Lord Protector.

VI. The

VI. The number of those Men of War, till further Provision be made, shall be from 36 to 40, all well provided with brave Officers, Seamen and Soldiers, part to cruise before *Ostend* and *Dunkirk*, and the rest in the Streight, or narrowest part of the *Channel*, as far as beyond *Ushant*; to the end that all the Ships of *Holland* and *Zealand*, which pass that way, may in the name of his most Christian Majesty be stopp'd and taken.

VII. If it happen that his Majesty has need of a greater number of Ships, the Lord Protector shall fit out more; and his Majesty shall be oblig'd to cause the Moneys for the Pay of the Troops, and the Freight of the Ships, to be advanc'd, and paid every three Months, to the Receiver whom the Lord Protector shall appoint for that end.

VIII. Moreover, that the War which *France* carrys on against *Spain* may turn to a good account, the most invincible Lord *Oliver* Protector of *England*, *Scotland*, and *Ireland*, shall be oblig'd to send over to *France* an Army of (at least) 12000 good *English* Soldiers, well disciplin'd, who shall take an Oath to his said Majesty of *France*, and stay there till his said Majesty has accomplish'd his Designs; unless the said Soldiers shou'd be wanted for the Service of the said Lord Protector, in which case they shall be sent home, and return to the Service of the said Lord Protector.

IX. His most Christian Majesty, and the invincible Lord Protector, promise to assist one another with Soldiers, Ships, Money, and all things necessary for the Conquest of the Towns and Harbours of *Flanders*, as *Ostend*, *Newport*, and *Graveling*: for which purpose his Majesty shall furnish a powerful and sufficient Land Army to besiege the said Towns, or any of them, and oblige them to surrender; and for the same purposes, the Lord Protector shall provide a good number of Ships, supposing those abovemention'd are not sufficient, so to block up the said Harbours, that none can go in or out.

X. And in order to make a fair Partition of the Places which the two Allies shall conquer and gain, the said most Christian King promises to leave the said Lord Protector in the quiet Possession, Sovereignty, and full Property of the said Places, Harbours, and Towns, with all their Rights, Franchises, and Jurisdictions, in the same manner as they are now possess'd by the King of *Spain*.

XI. On the other hand, his ſaid moſt Chriſtian Majeſty ſhall likewiſe poſſeſs in full Property, all the other Towns, Harbours, and Places, which ſhall be conquer'd in the 17 Provinces of the *Netherlands*, none excepted, whoever is, or has been the Poſſeſſor.

XII. When the Diſtribution is thus made, and ſome Towns are accordingly put in poſſeſſion of the King of *France*, or of the Lord Protector, in ſuch manner that both the one and the other has obtain'd his Share, or agreed with the Party conquer'd, his ſaid Majeſty nevertheleſs ſhall not lay down his Arms till the ſaid Lord Protector has alſo obtain'd his Share; and in like manner the Lord Protector ſhall not ceaſe Hoſtilitys againſt the Adverſary of *France*, till his Majeſty has alſo obtain'd his Share to his Contentment.

XIII. And whereas the King of *Denmark*, as far as we can judge by his Motions, begins to declare openly againſt the King of *Sweden*, threatning to fall upon him with an Army, his ſaid moſt Chriſtian Majeſty and the ſaid Lord Protector promiſe to uſe all the meaſures poſſible to oppoſe the ſaid King of *Denmark*, to fruſtrate his Deſigns, and to aſſiſt the King of *Sweden* in his, and to defend him, and to aid him likewiſe in his Enterprize againſt the City of *Dantzick*, as alſo againſt the King of *Poland*.

XIV. In like manner, the ſaid Lord Protector alſo promiſeth to make uſe of all the Methods imaginable, to the end that the moſt Chriſtian King may be elected Emperor of the *Romans*; or at leaſt to hinder the Election from falling in favour of any Perſon of the Houſe of *Auſtria*, or any of their Allies.

XV. His moſt Chriſtian Majeſty promiſeth on his part to furniſh Money towards the Conqueſt of the City of *Dantzick*, and for putting it under the Obedience of the King of *Sweden*. In conſequence whereof, his Majeſty promiſes to procure Money for the Conqueſt of the Caſtles and Forts of the King of *Denmark*, ſituate in and upon the *Sound*, together with others of the ſaid King's Countrys; and for this purpoſe, the Lord Protector ſhall furniſh a ſufficient Fleet, to ſtop up the Paſſage of the *Sound*, and for the Tranſportation of the Troops.

XVI. The King of *France* promiſeth likewiſe to make uſe of the moſt conducive meaſures, both by Troops and Money, to make him Maſter of all the Forts ſituate in the *Belt* or *Eaſtern Sea*, as doth the Lord Protector on his

his part to furniſh Ships, Troops, and Ammunition neceſſary for that purpoſe; to the end that with the Aſſiſtance of the King of *Sweden*, he may be able to keep the Trade with thoſe Countrys, and thoſe of his Allies, free and undiſturb'd.

XVII. If any Countrys, Towns, Caſtles, or Forts belonging to the King of *Denmark*, or any other Prince of that Party, in or on the *Sound*, or the *Baltick*, can be conquer'd, it ſhall be free for the Lord Protector alone to diſpoſe thereof, according to his good Pleaſure, as much as if they were his Serene Highneſs's proper and patrimonial Eſtates, Countrys, Towns, or Forts.

XVIII. But the Lord Protector promiſeth, that if it happen that the Subjects of the King of *France* ſhou'd have a deſire to go to the *Eaſt Sea*, *Norway*, *Sweden*, and ſome others of thoſe remote Countrys, and to ſail with any Ships and Merchandize thro' the *Sound*, and the *Baltick*; they ſhall paſs and repaſs freely without Moleſtation, in the ſame manner as the Subjects of the Lord Protector himſelf; ſo that no body whatſoever, nor for any pretence whatſoever, ſhall hinder, moleſt, or diſtreſs the ſaid Subjects of the King of *France* in any manner, but every one ſhall behave agreeably, and with Diſcretion.

XIX. The Lord Protector alſo promiſeth his moſt Chriſtian Majeſty, to aſſiſt and aid him by all the methods imaginable, to the end that his Majeſty may be able to recover from the King of *Spain*, *Catalonia*, *Portolongone*, and other Places ſituate beyond and about the ſame; and for this purpoſe the Lord Protector ſhall furniſh a good Number of Ships, Troops, Ammunition, and all ſorts of Military Habiliments that are neceſſary.

XX. Which Towns, Places, Forts, Harbours, and Fortreſſes ſo conquer'd, ſhall be ſubject to, and remain at the Diſpoſal of his ſaid moſt Chriſtian Majeſty; and he ſhall poſſeſs the ſame with as much Freedom and Propriety, and with the ſame Sovereign Power as he poſſeſſeth his own Dominions: and the ſaid Lord Protector ſhall defend his ſaid Majeſty in that poſſeſſion.

XXI. All the Ships taken from the Enemy ſhall remain to him by whom they were taken; and when the Subjects of the moſt Chriſtian King have taken any Ships from their Enemys, they may freely come and

ſell them with their Cargoes, in the Harbours of *England*, *Scotland*, and *Ireland*, without paying any other Dutys than what are paid by the Subjects of the ſaid Lord Protector; and ſo *vice verſâ*.

XXII. In caſe it happens, that during the preſent or any future War, any Provinces, Princes, Lands, or Towns, Spiritual or Temporal, of any Rank or Condition whatſoever, ſhou'd ſincerely concur in the preſent view and deſign of the ſaid moſt Chriſtian King, and the ſaid Lord Protector, for the Ruin and Deſtruction of the haughty and tyrannical Monarchy of *Spain*, and that they incline to adhere to their Party, his ſaid Majeſty, and the ſaid Lord Protector, ſhall receive them into their Protection and Alliance, and ſhall make an offenſive and defenſive League with them, to put every thing that is poſſible in practice for that end, in order that the ſaid Province, Princes, Lands, Towns, *&c.* may have cauſe to rejoice at the Effect of this Negotiation; promiſing to include them in all Negotiations of Peace, Engagements, Alliances, and other Treatys, as well as the Subjects of *France* and *England*, and to protect them againſt all and every one, from the moment that they declare themſelves of this Party, and enter into the ſame Intereſt: and no other Security ſhall be taken of them but their Faith and certain Hoſtages, that ſhall be kept for ſome time after the making the Agreement, *viz.* that ſuch Lords, Princes, Provinces, and Towns, ſhall contribute as far as they can conveniently for their own Defence.

XXIII. And if it happen, that any of the Provinces of the Enemy, or neutral Towns, ſhou'd ſurrender, together or ſeparately, or that they ſhou'd deſire to be included in this preſent Treaty, 'tis concluded betwixt his Majeſty and the Lord Protector, that the ſaid Towns thus united, ſhall be a free State, or form a Republick; and ſhall then be accepted and recogniz'd for ſuch.

XXIV. To the end alſo, that the Emulation and Deſire of being the firſt Conqueror may create no Diſorder, 'tis ſtipulated, that his Majeſty's Army when reinforc'd by the Troops which the Lord Protector has already ſent into *France*, or which he ſhall ſend thither, ſhall preſently attack ſome place that ſhall be judg'd moſt proper, in order to eſtabliſh a firm footing, and to keep their Ground in the King of *Spain*'s Country, that they

may with the more Conveniency, and the leſs danger approach nearer to the *Spaniſh* Harbours in *Flanders*.

XXV. Thus when one or more Major Generals ſhall have conquer'd any Town or Towns, included in the Protector's Share, they ſhall immediately be gariſon'd with the Troops which the Lord Protector has ſent into *France*; and ſuch a Governor ſhall be appointed as the King or his Major General ſhall think fit, till the Protector has given Orders about it. The ſame thing ſhall alſo be obſerv'd when the Ships or Troops of the Lord Protector have taken any Places in the King of *France*'s Share; and they ſhall in like manner be put into the Hands of his Majeſty, and provided with ſuch a Governor and Gariſon, as his ſaid Majeſty ſhall think fit.

Finally, 'tis ſtipulated and agreed, that all the foregoing Articles ſhall be kept ſecret, to the end that the Deſigns of the moſt Chriſtian King, and the Lord Protector, may not in any manner be reveal'd. Provided hereby nevertheleſs, that the ſaid Articles ſhall be of no Force nor Validity, till they have been ratify'd, ſworn, and ſign'd on both ſides; which Ratifications and Subſcriptions ſhall be made in four Weeks, or at moſt in ſix Weeks after they are exhibited. But in caſe his Majeſty or the Protector ſhall receive any Satisfaction from their Enemys, or from thoſe with whom they have any Diſputes, or if they ſhou'd agree with the adverſe Party before the Ratification and Signing of this Treaty, the ſaid Treaty with regard to the Party with whom ſuch a Reconciliation is made ſhall be null and void, and ſhall not be conſider'd in any other View than if it had never been made, or had not been negotiated.

So done, agreed, and concluded at *Paris* between the Ambaſſadors of *Oliver* Lord Protector, and the Commiſſioners of the moſt Chriſtian King of *France*, on the 9th of *May*, *N. S.* 1657.

Articles extracted from two Treatys, concluded between France *and* England, *in* 1657 *and* 1658.

Extract of the Treaty made and ſign'd the 23*d of this Inſtant* March, *in the Year* 1657. *between* M. *the Count* de Brienne, *a Commander of the King's Orders of Knighthood, Counſellor and Secretary of State to his Majeſty, and* M. de Lyonne *one of his Majeſty's Privy Council, Provoſt and Maſter of the Ceremonies of the ſaid Orders, on the part of his Majeſty: And* M. Lockhart *Ambaſſador from the Protector of the Republick of* England, Scotland, *and* Ireland, *to his Majeſty, on the part of the ſaid Protector.*

ARTICLE XI.

AND foraſmuch as his Majeſty, out of his pious Intention to procure the Peace of Chriſtendom, wou'd never be tempted by any Advantage, to let his Forces favour the Eſtabliſhment of thoſe of *England* in *Flanders*, if he had not a firm and entire confidence, that the Catholick Religion wou'd be kept up there unalterably, free from all manner of Inconveniencys, Prejudices, and Troubles; the ſaid Lord Protector promiſes, and ſolemnly engages his Faith, (of which he will alſo give a particular Declaration upon this Head to his Majeſty) that when *Dunkirk*, *Mardyke*, and *Gravelin*, are put into his Hands (as is ſaid above) he will leave all matters relating to the Catholick Religion, in the ſame State as he finds them; and in conſequence thereof, all the Eccleſiaſticks as well Regular as others, (provided they undertake nothing againſt the Government to which they ſubmit) ſhall ſecurely enjoy all their Revenues, and keep their Churches in ſuch manner that none of them ſhall be made uſe of for the Proteſtant Religion, nor ſhall there be any manner of Change in the Catholick Religion under any Pretence whatever.

Extract of the Treaty made the 28*th of* March 1658, *between* M. *the Count* de Servien *a Commander of the King's Orders, Minister of State and Superintendant of the Finances, and* M. *the Count* de Brienne *a Commander also of the said Orders, a Member of his Majesty's Councils, Secretary of State,* &c. *on the part of his Majesty; and* M. Lockhart *Ambassador at his Majesty's Court from the Protector of the Republick of* England, Scotland *and* Ireland, *on the part of the said Protector.*

ARTICLE I.

AND first of all, that the Treaty made last Year between his Majesty and his Highness, together with the secret Article added to it, which as well as the whole Treaty was to continue but for a Year, shall remain intire, and have the same Force and Virtue for a second Year, computing from the Day that the foregoing Treaty was to expire: In such manner that all that is written, and hereby agreed and promis'd, shall be executed *bonâ fide*, and with the same Security as if all the Articles of the said Treaty were here recited *verbatim*; and especially every thing relating to the Catholick Religion shall be observ'd so sacredly and inviolably, that it may receive no Damage nor Prejudice nor shall any Alteration or Innovation be introduc'd or suffer'd, for any Reason, Plea or Pretence whatsoever, in the State of Religion, or the Church, as is more expresly stipulated by the foregoing Treaty.

Extract of the Articles granted by M. de Turenne *to the* Sieur de Bassecourt *who commanded in the Town of* Dunkirk *for the Catholick King, and to the Clergy and Societys of the said Town, when it was deliver'd up to the King.*

THAT the Townsmen, as well the Clergy as others, of what quality or condition soever, shall be preserv'd in their Religion, Estates, Privileges and Franchises, which they have enjoy'd hitherto, without any new Burden or Imposition.

That the Catholick, Apostolick and Romish Religion shall be maintain'd and preserv'd in the said Town of *Dunkirk* and its Dependencies, without any Alteration

or Innovation in the Privileges and Immunities of the Clergy, and without any Injury done to them or their Churches in any reſpect whatſoever.

And all Perſons, Eccleſiaſtick and Secular, the Nuns, Cloyſters and Hoſpitals, ſhall likewiſe be maintain'd in the peaceful poſſeſſion of all their Penſions, Prerogatives, Revennes, Privileges and Liberties, without any Hindrance or Moleſtation.

The Nuns of the Order of the Conception, and the Grey Nuns of the Hoſpital of Saint *Julian*, ſhall remain under their Abbots and Abbeſſes, as they have done hitherto.

None of the Relicks and miraculous Images of the Glorious Virgin, and the other Saints, ſhall be taken away and carry'd elſewhere, nor the Ornaments and Bells of the Churches, Cloyſters, or other Convents and publick Places.

Copy of the Act ſign'd by Mr. Lockhart *Ambaſſador to his Majeſty from the Protector of the Republick of* England, Scotland *and* Ireland, *the 25th of* June, 1658.

WE *William Lockhart* Knight, a Member of the Privy Council of *Scotland* for the moſt Serene and moſt Potent Lord Protector of *England*, *Scotland* and *Ireland*, and Ambaſſador from the ſaid Lord to the moſt Chriſtian King *Lewis* XIV. make known, That by virtue of the Commiſſion granted to us by his Highneſs, the Town of *Dunkirk* with all the Forts belonging to it, was this day, immediately after its Surrender, put into our Hands, by Order of the moſt Chriſtian King, with all the Artillery, Ammunition and Proviſions therein found, in purſuance of the Treatys made between his Sacred moſt Chriſtian Majeſty and his Highneſs, on the 23d of *March*, 1657. and on the 28th of the ſame Month in this preſent Year. And conformably to the Contents of the ſaid Treatys we promiſe his Royal and moſt Chriſtian Majeſty, that the Catholick Religion with all its Appendages ſhall be ſo ſacredly and inviolably preſerv'd in the ſaid Town of *Dunkirk*, ſo long as it continues under our Dominion, that it ſhall receive no Damage from us, and that the Eccleſiaſticks,

cleſiaſticks, Regular and others (provided they make no Attempt againſt the Government to which they have ſubmitted) ſhall ſecurely enjoy their Revenues, and the Poſſeſſion of their Churches; none of which ſhall be apply'd to the uſe of the Proteſtant Religion: nor ſhall any kind of Alteration or Innovation be introduc'd into the Catholick Religion for any Reaſon, Colour, or Pretext whatever, but it ſhall always continue in the ſame State as now. We promiſe moreover, and ſolemnly engage our Faith, to produce and deliver in a Month's time into the Hands of his moſt Chriſtian Majeſty, a particular Declaration from his Highneſs, ſign'd by his own Hand, which ſhall be of the ſame Tenour and Force as the preſent, by which the Conditions granted to the Inhabitants of the ſaid Town of *Dunkirk* on the 24th of this preſent Month of *June*, ſhall alſo be confirm'd by his Highneſs. In Witneſs whereof, and for an undoubted Proof of it, we have made and ſign'd theſe Preſents, at the Fort of *Mardyke*, the 25th of *June* 1658. and have caus'd our Seal to be thereunto affix'd.

Sign'd,

WILLIAM LOCKHART.

And ſeal'd with the Seal of his Arms.

Treaty between Lewis XIV. *King of* France, *and* Richard Cromwell *Protector of* England, *for facilitating a Peace between* Sweden *and* Denmark. *Done at* Weſtminſter, February 3, 1659.

THE War being broke out again betwixt the Kings of *Sweden* and *Denmark*, notwithſtanding the late Treaty conluded at *Roſchild* by the Mediation of *France* and *England*; and the Acceſſion of ſeveral other Princes and States to it having given occaſion to new Difficultys in the way of that Peace, which all the Nations of Chriſtendom have ſo long wiſh'd for, and impair'd that Freedom of Commerce in the Northern Countrys, to the great damage of other Nations: In order to remedy ſuch great Miſchiefs, and to deliver the King and Kingdom of *Sweden* from the Evils with which they are threaten'd by ſo many Enemys in Arms againſt them, *France* and *England* have thought it their Intereſt not to fail in any one Duty of Friendſhip towards that Crown, which has been allied to them for ſo long a time; and not only to continue the Succours they have hitherto given to the King of *Sweden*, if the Affairs of both will permit it, and to join their Efforts and Cares for re-eſtabliſhing Peace in the ſaid Northern Countrys, but alſo to enter into the preſent Treaty, in conſideration of the Fleet which *England* has ſent to the *Sound*, upon the Promiſe made by the Sieur *Antoine de Bourdeaux*, Member of the Councils of the moſt Chriſtian King of *France* and *Navarre*, and his Ambaſſador Extraordinary in *England*, that his Majeſty wou'd conſider as his Enemys all the Princes and States, who by reaſon and on account of the ſaid Naval Succours ſhou'd become the Enemys of *England*; and the ſaid Ambaſſador having receiv'd a full Power to confirm the ſame thing

thing authentically, and to agree to every thing that may contribute to the Deſigns of both Nations; and the moſt Serene and moſt Potent Lord *Richard* Protector of the Republick of *England*, *&c.* having deputed *Nathaniel* Lord *Fiennes*, Firſt Commiſſioner of the Great Seal of *England*, and a Member of his Highneſs's Privy Council, and *John Thurloe* principal Secretary of State, another of his ſaid Council, in quality of his Commiſſioners for the ſame purpoſe, they have agreed on the following Articles.

I. Orders ſhall be given as ſoon as poſſible to the Miniſters of *France* and *England* reſiding at the Court of the King of *Sweden*, that they uſe all poſſible Care and Diligence to incline him to make Peace with the King of *Denmark* upon juſt Conditions, and that then they remove to *Copenhagen*, to poſſeſs the King of *Denmark* with the ſame Inclination, by perſuading both Princes that 'tis the Advantage of both, and the Deſire of all their Friends.

II. To the end that the ſaid Negotiation of Peace may advance with the more eaſe, if the ſaid Kings ſeem diſpos'd to make a Treaty, thoſe Miniſters ſhall offer them the Mediation of their Maſters; and if it be agreeable to them, they ſhall labour all they can to bring the ſaid Treaty to a Concluſion.

III. In order to remove all Difficulties which may ariſe concerning the Execution and Obſervation or Security of the Treaty, the Guaranty both of *France* and *England* ſhall be offer'd to thoſe Princes; and the ſaid Miniſters ſhall be impower'd to promiſe that their Maſters ſhall eſpouſe that Party who happens to be firſt attack'd in a violent and hoſtile manner, to the prejudice of the Treaty which ſhall be made, and that they will oppoſe the Aggreſſor.

IV. If all theſe Endeavours do not avail to incline the ſaid Kings to make a Peace, and it be thought for the common Good and Intereſt of both the Allies to aſſiſt the King of *Sweden*, *France* and *England* ſhall each aſſiſt him according to their Abilitys, and the Circumſtances of their Affairs.

V. If by reaſon and on account of the Succours which *England* has alrealy ſent, or ſhall hereafter give, to the King of *Sweden*, a new War ſhou'd break out betwixt *England* and any Prince or State, *France* ſhall publickly declare War againſt ſuch Prince or State, and adhere to

England

England againſt ſuch Enemy, even tho there be more than one: And *England* ſhall act in the ſame manner to *France*, if that Nation be engag'd in new Wars for the ſame reaſon and upon the ſame account.

VI. 'Tis moreover agreed, that if in the manner and for the reaſon aforeſaid a War ſhou'd break out betwixt *France* or *England* and any Prince or State, neither the one nor the other ſhall make Peace or Truce with his Enemys ſeparately, but the one ſhall nominate and include the other in whatever Peace or Truce he makes with the ſaid Prince or State.

VII. To the intent that ſuch Peace may more certainly and ſpeedily be eſtabliſh'd between the ſaid Kings, the Miniſters of *France* and *England*, reſiding at the *Hague*, ſhall continue their Inſtances with the States General of the *United Provinces*, not to ſend any more Succours for the ſaid War to the King of *Denmark*, but on the contrary to joyn their Advices and Forces with them ſincerely, and *bonâ fide*, for the reconciliation of the ſaid Kings, in order to remove every occaſion of diſturbing the Friendſhip between *France*, *England*, and the *United Provinces*.

VIII. And becauſe the Alliance by which the King of *Denmark* ſeems united with the King of *Poland*, and the Elector of *Brandenburgh*, may cauſe new difficultys and delays in the ſaid Treaty, Orders ſhall likewiſe be given to the Miniſters of *France* and *England*, who reſide at the Courts of the ſaid Princes, to endeavour with equal Diligence to procure a Peace between the ſaid Kings of *Sweden* and *Poland*, and the Elector of *Brandenburgh*, to the end that the Peace of thoſe *Northern* Countrys may be made more firm, and the Freedom of Commerce entirely re-eſtabliſh'd.

IX. The preſent Treaty ſhall be confirm'd and ratify'd next Month by the Letters Patent of both Partys, ſeal'd with the Great Seal in due and authentick Form, and the Ratifications ſhall be mutually exchang'd within that Term; and nevertheleſs it ſhall in the mean time be put in Execution.

The full Power of the moſt Serene Protector.

RICHARD by the Grace of God, Protector of the Republick of *England*, *Scotland* and *Ireland*, &c. to all and ſingular to whom theſe Preſents ſhall come, greeting. Know ye that the moſt Serene *Oliver* our Father of Glorious Memory, and this Republick, having been in a State of Peace and Amity with the moſt Serene and moſt Potent Prince and Lord *Lewis* XIV. the moſt Chriſtian King of *France* and *Navarre*; and the happy Conſequences of the ſaid Alliance having demonſtrated the Advantages of it to both, We and the ſaid moſt Chriſtian King, have thought fit to enter into new Meaſures for our common Good. Therefore the ſaid moſt Chriſtian King has deputed the moſt noble the *Sieur Anthony de Bourdeaux*, a Member of his Councils, and his Ambaſſador Extraordinary to us, with a full Power to treat and conclude with us ſuch things as concern the common Good. And We being alſo animated with the ſame deſire of promoting the Advantage of both Nations, and having entire Confidence in the Probity, Fidelity, Prudence, and ſingular Circumſpection of our truſty and well beloved *Nathaniel* Lord *Fiennes*, firſt Commiſſioner of our Great Seal of *England*, and a Member of our Privy Council, and *John Thurloe* our Principal Secretary of State, and a Member alſo of our Privy Council, do, by the Advice of our Council, make, conſtitute and appoint them our true and certain Commiſſioners, Plenipotentiarys, and Deputys, giving and granting them entire Authority and Power, and a general and ſpecial Command, to treat, conclude and tranſact with the ſaid moſt noble Lord Ambaſſador of the moſt Chriſtian King of *France* and *Navarre*, in the name of us and our Succeſſors, all things which our ſaid Commiſſioners ſhall judge to be for the common Good: and we promiſe *bonâ fide*, and by theſe Preſents oblige ourſelves and our Succeſſors to obſerve, perform, keep and ratify in the beſt manner poſſible, as well as if we were there preſent, whatever our ſaid Commiſſioners ſhall agree, conclude and concert with the ſaid Lord Ambaſſador. In Witneſs whereof we have ſign'd theſe Letters Patent

with

with our Hand, and cauſed our Great Seal of *England* to be thereunto affix'd. Given at our Palace of *Weſtminſter*, the 21ſt day of *January*, 1658. *O. S.*

RICHARD.

P. Peſcot.

In Witneſs of all which things, We his Majeſty's Ambaſſador have ſign'd the preſent Treaty with our own Hand, and thereunto caus'd the Seal of our Arms to be fix'd. Done at *Weſtminſter* the 3d of *February*, A. D. 1659.

Sign'd, *de Bourdeaux.*

Treaty between France, England, *and the* United Provinces, *for obliging the* Northern *Kings to make Peace. Done at the* Hague *the* 21*ſt of* May, 1659.

FRANCE and *England* cannot avoid being ſo deeply concern'd to ſee the War renew'd and continued between the moſt Serene Kings of *Sweden* and *Denmark*, on account of the pretended Differences and Difficulties in the Execution of the Treaty made at *Roſchild*, *Feb.* 26, 1658, O. S. of which they were Mediators, that they thought themſelves oblig'd both in Honour and Duty to ſollicit and find out all manner of ways and means for procuring a ſpeedy end to the War; and as they believ'd the moſt proper and ſpeedy Method for attaining to that end, wou'd be to unite together, and to offer their Mediation, as they have done, to the ſaid Kings, and in order to remove all Obſtructions and Difficulties that might ariſe, to invite the *United Provinces* to join and concur with them in ſo pious a Deſign as the mediating of a Peace, not only for reconciling two neighbouring Kings allied by proximity of Blood, for putting a ſtop to the Ruin,

Ruin, Calamities and Miſeries of their Subjects, and for reſtoring Commerce in the *Baltick*, the Interruption of which has been vaſtly detrimental to all States, whether neighbouring or remote, but alſo for preventing the Conſequences of a War, likely to diſturb the reſt of *Europe*, many of whoſe Princes might be induc'd to fall out with one another, by reaſon of their Alliances with one or other of thoſe two Kings; The ſaid three States having duly conſider'd and weigh'd the Premiſes, after many ſerious Reflections and mature Deliberations in divers Conferences between their Ambaſſadors, Reſidents and Commiſſioners deputed for that purpoſe, *viz.* the Sieur *James Auguſtus de Thou* Knt. Count *de Melſay*, Counſellor of his moſt Chriſtian Majeſty, and his Ambaſſador to the Lords the States General of the *United Provinces*; *George Downing* Eſq; Reſident of the moſt Potent and moſt Serene Protector of *England*, *Scotland* and *Ireland*; and the Sieurs *John Baron de Gent*, Lord of *Oſterweede*, Lieutenant of the Fiefs, and Primate of the Country of *Fauquement*; *John Baron de Merode*, Lord *de Rummen*, *Heer Oudelant Ambackt*, *Severnick* Bailiff of the County of *Kennemerlandt*; *John de Wit* Counſellor and Penſionary of the Province of *Holland* and *Weſtfrieſeland*; *Marinus de Staveniſſe*, Counſellor and Penſionary of the Town of *Zurickzee*; *Gilbert van der Hoolck*, formerly Burgomaſter and Senator of the City of *Utrecht*; *Frederic de Groveſtins in Englum*, Lord in *Jepma*, with what depends thereupon in *Nikerck*, &c. *Werner Crans* Burgomaſter of the Town of *Swolle*; *John de Schuylenbourgh* Senator of the Town of *Groningen*, all Deputys in ordinary in the Aſſembly of the Lords the States General, in the Name of the Provinces of *Guelderland*, *Holland*, *Weſtfrieſland*, *Zealand*, *Utrecht*, *Frieſland*, *Overyſſel* and *Groningen*: They have agreed on the following Articles and Conventions, for putting a ſpeedy Iſſue to the War, which may be attended with ſuch heavy and diſmal Conſequences.

I. That *France*, *England*, and the *United Provinces*, ſhall do every thing in their Power jointly or ſeparately, as they ſhall think moſt expedient and proper, but always in concert by their Ambaſſadors and Miniſters, who ſhall happen to be on the Spot, with the Kings of *Sweden* and *Denmark*, to eſtabliſh a good and firm Peace between them, upon the Foundation and Footing of the abovemention'd

tion'd Treaty, made at *Roſchild* the 8th of *March*, 1658.

II. That nevertheleſs for the avoiding all Umbrage which may be taken at the third Article of the ſaid Treaty, which relates to the hindrance of the Paſſage of foreign Fleets and Enemys thro' the *Sound*, the ſaid Article ſhall be entirely aboliſh'd, or elſe drawn up and explain'd in ſuch Terms, that neither the three Eſtates nor any of them may receive any Prejudice from it, or Obſtruction in the Paſſage of their Men of War thro' the *Sound* and the *Belts*.

Provided nevertheleſs, that if either of the ſaid Kings of *Sweden* and *Denmark* ſhould make Inſtances for any other Alterations, or for adding any thing to the ſaid Treaty of *Roſchild*, by reaſon of the War which has been renew'd ſince the Signing and Execution of a part of it, the Miniſters of the ſaid three States ſhall likewiſe do all that is poſſible with the ſaid Kings, either jointly or ſeparately, as above, for amicably determining all Differences which may happen between them, and for reconciling them as far as poſſible in a good and hearty Underſtanding.

III. That the Fleet which his moſt Serene Highneſs of *England* has ſent to the *Sound*, as the common Friend of the two Kings, ſhall not join either of the Fleets of the ſaid Kings, nor give any Aſſiſtance or make any Oppoſition to one or the other within three Weeks from the Day that the preſent Treaty ſhall be notify'd to the Admiral or other Commander in chief of the ſaid Fleet, who ſhall have a Copy of it in form ſent to him with all ſpeed by Sea and Land; and that on the other hand, from this time to the Expiration of the ſaid three Weeks, the Fleet which the *United Provinces* are to ſend to thoſe Parts, ſhall neither aſſiſt nor commit Hoſtilitys againſt either of the ſaid Kings, nor join any of their Fleets, nor even that which has been already ſent from the States to the Relief of the King of *Denmark*, under the Command of the Sieur *de Waſſenaer* their Rear Admiral; which Fleet of the ſaid Rear Admiral ſhall not under any pretence whatſoever, for the ſaid Term of three Weeks, make, or favour, directly or indirectly, any Tranſportation of Troops to the Iſlands or other Places of *Denmark* againſt the King of *Sweden*; and that neither ſhall the ſaid Fleet undertake any thing offenſively, nor attack the ſaid King of *Sweden* or his Fleet

Fleet by Sea or Land during the ſaid three Weeks; and that the Fleet of the *United Provinces*, which is to be ſent as above, ſhall not ſail thither, nor offer to ſail to *Copenhagen* or to the *Baltick*, thro' the *Sound* or the *Belts*, from this time to the Expiration of the Term abovemention'd; during which the Miniſters of the three States that ſhall happen to be upon the Spot, ſhall negotiate with the ſaid Kings jointly or ſeparately, but always in Concert, and by Union of Counſels, for re-eſtabliſhing a good and firm Peace between the ſaid Kings.

IV. And if it ſhould happen within the ſaid Time (which God forbid) that notwithſtanding all the Care of the Miniſters of the ſaid three States, and all their Offices, Dutys and Diligence, no Peace nor Accommodation ſhou'd be concluded between the ſaid Kings, the ſaid three States, and each of them, ſhall ceaſe to aſſiſt him who ſhall refuſe to accept of a Peace or Accommodation upon juſt and reaſonable Terms; which Ceſſation of Aſſiſtance ſhall continue as long as the ſaid Refuſal. But if it happens by Misfortune that the ſaid three States ſhould not agree in the Juſtice or Equity of the reſpective Pretenſions of the ſaid Kings, and ſhou'd be oblig'd and neceſſitated to give Aſſiſtances contrary to the one and to the other; ſuch Succours and Aſſiſtances ſo given in contrariety to each other, ſhall not be deem'd as a Rupture between the ſaid States, or any of them, but the Peace ſhall remain and continue between them firm and entire, and their Treatys of Alliance ſhall ſubſiſt in the ſame Force and Vigour, as if the ſaid Succours had not been granted.

V. And if (as it is to be hop'd) the Endeavours of the three States are attended with a Peace, the ſaid three States ſhall join together to be Guarantees, in the moſt authentick and the ſureſt manner poſſible, of ſuch Peace or Accommodation as ſhall be treated of, and concluded between the ſaid Kings, by virtue of the preſent Conventions.

VI. That no new Duty, Toll, or other Impoſt, on account of Beacons, Light-houſes, Anchorage, or for any other pretence whatever, be for the future reſtor'd or rais'd in the *Sound* or the *Belts*, by any Perſon whomſoever upon the three States, or either of them, or upon their Subjects; and as to the Dutys or Tolls which are paid there, by virtue of the Treaty made at *London*, between the late moſt Serene Protector of *England*, *Scotland* and *Ireland*, and the Crown of *Denmark*, and of another

Treaty made at *Chriſtianſtadt* the 13th of *Auguſt* 1645, *O. S.* between the ſaid Crown and the *United Provinces*, they ſhall never be augmented upon the three States, or any of them, or upon their Subjects, for any Cauſe or Pretext whatever. And if it happens that there are more favourable and advantageous Conditions in one of the ſaid Treatys than there are in the other, with regard to the Tax, or the manner of raiſing it, or any other Circumſtance, the ſaid three States, and each of them, and their Subjects, ſhall for the future enjoy the ſaid more favourable and advantageous Conditions equally; of which Clauſes above expreſs'd, the three States ſhall be Guarantees one for the other, in the beſt manner poſſible. And in order to give each other a more particular Proof of their Friendſhip and Confidence, the ſaid three States engage themſelves reſpectively one to the other, to endeavour that their Subjects may enjoy the ſame Conditions and Advantages with regard to all manner of Dutys, Tolls, or other Impoſts, as alſo with regard to all other Privileges and Exemptions, as either the one or the other cou'd obtain in thoſe Parts; and the ſaid three States ſhall be Guarantees thereof one to the other, in like manner as above.

VII. That *France* and *England* ſhall alſo do all that lies in their Power to remove and put a ſtop to all Miſunderſtandings ariſen betwixt the King of *Sweden* and the *United Provinces*, and to procure the Accompliſhment and Ratification of the Treaty of *Elbing*, of the 1ſt of *September* 1656, with the Explanations thereof, as they were conſented to by the Commiſſioners of the ſaid King at *Thorn*; and that the Elector of *Brandenburg*, and the City of *Dantzick* ſhall enjoy the Effect of being included in the ſaid Treaty of *Elbing* abovemention'd, from the Day that they ſhall accept of the ſame: which Acceptation if they will have the benefit of it, they ſhall be oblig'd to make within a Month's Time, reckoning from the Day that the ſame is notify'd and communicated to them in due Form.

VIII. And as to the War with *Poland*, the three States ſhall do all that is in their Power to concert and mediate a Peace betwixt the two Kings; and as to the Elector of *Brandenburg*, beſides what is ſpecify'd with relation to him in the preceding Article, if there ſtill remain any Difference or Differences to determine, the three States

ſhall

ſhall likewiſe uſe their Diligence to accommodate them amicably, and to reſtore the ſaid Elector to a good Underſtanding and Friendſhip with the King of *Sweden*; and for this end the ſaid Elector ſhall be invited to ſend over his Miniſters forthwith to the Spot, in order to communicate and concert about his Intereſts with the Miniſters of the three States, ſo as that nevertheleſs theſe Negotiations ſhall not retard or hinder the aforeſaid Peace or Accommodation between the ſaid Kings of *Sweden* and *Denmark*.

IX. That this preſent Treaty ſhall be approv'd and ratify'd in due Form by the three States, and the Inſtruments of the Ratification hereof ſhall be exchang'd within three Weeks from the Day of its being ſign'd, and that in the mean time the performance of it ſhall not be ſuſpended. Done at the *Hague*, May 21, 1659.

Sign'd,

JAMES AUGUSTUS de THOU.

The Ratification by the Parliament of England.

THE Parliament of the Commonwealth of *England*, To all to whom theſe Preſents ſhall come, Greeting. Conſidering that ſince our laſt Seſſion, a certain Treaty was made at the *Hague*, the 21ſt of *May* 1659, between *George Downing* Eſq; in quality of the *Engliſh* Reſident there; the moſt Noble and Excellent Lord *James de Thou*, Count *de Meſlay*, Counſellor of the moſt Serene and Potent King of *France*, and his Ambaſſador to the High and Mighty States General of the *United Provinces*; the Lords *John Baron de Gent*, Lord of *Oſterweede*, Lieutenant of the Fiefs, and Primate of the Country of *Fauquement*; *John Baron de Merode*, Lord *de Rummen*, *Heer Oudelant Ambacht*, *Severnick* Bailiff of the County of *Kennemerlandt*; *John de Wit*, Counſellor and Penſionary of the Province of *Holland* and *Weſtfrieſland*; *Marinus de Staveniſſe*, Counſellor and Penſionary of the Town of *Zurickzee*; *Gisbert vander Hoolch*, formerly Burgomaſter and Senator of the City of *Utrecht*; *Frederick de Groveſtins* in *Englum*, Lord in *Jepma*, with what depends thereupon in *Nikerck*,

&c. *Werner Crans*, Burgomaſter of the Town of *Swolle*; *John de Schuylenbourgh*, Senator of the Town of *Groningen*, all Deputys in ordinary in the Aſſembly of the States General aforeſaid, in the Name of *Guelderland*, *Holland* and *Weſtfrieſland*, *Zealand*, *Utrecht*, *Frieſland*, *Overyſſel* and *Groningen*, and Commiſſioners legally authoris'd and impower'd deputed to that Treaty; wherein they have mutually agreed to certain Conditions or Articles, the Tenor whereof follows.

That England, France, *and the Provinces of the* United Netherlands *ſhall by their Ambaſſadors and Miniſters*, &c.

We therefore, after mature Deliberation had upon the Articles aforeſaid, do by theſe Preſents on the part of the Republick of *England*, approve, confirm and ratify all and ſingular the things contain'd in the Articles aforeſaid; promiſing and firmly obliging ourſelves by virtue of theſe Preſents, that all things which are agreed and ſtipulated in the ſaid Treaty to be obſerv'd and perform'd by this Republick and its People, ſhall be by them *bonâ fide* obſerv'd and perform'd. In Witneſs whereof, we have caus'd theſe Ratifications to be ſubſcrib'd by the Hand of our Speaker, and confirm'd with the Great Seal of the Republick of *England*. At *Weſtminſter*, *June* 1659.

Treaty between the Parliament of England, *and the* United Provinces *of the* Netherlands, *for inducing* Sweden *and* Denmark *to make a Peace. Done at the* Hague, July 24, 1659.

IN conſideration of what *George Downing* Eſquire, Commiſſioner of the Parliament of the Republick of *England*, propos'd in Writing to the States General of the *United Provinces* of the *Netherlands* on the 19th day of *July*, 1659, 'tis agreed on both ſides, that the Deputys as well of the Republick of *England*, as of the *United Provinces* of the *Netherlands*, who are ſent to the Kings of *Sweden* and *Denmark*, ſhall be order'd to uſe their utmoſt diligence, that by their Offices a firm and inviolable Peace may be renew'd between the ſaid Kings, on the Baſis and Foundation of the Treaty of *Roſchild*, according to the Articles and Conditions which were agreed upon at the *Hague* the 21ſt of *May* laſt.

And to remove all Cauſe of Diſputes that may hereafter ariſe, on account of any thing for which ſufficient Proviſion is not made by the ſaid Conventions, 'tis agreed, that it ſhall be propos'd to the two Kings, or either of them that deſires it, to alter in or add to the Copy of the Treaty of *Roſchild*, whatſoever ſhall be judg'd neceſſary to be alter'd or added, with regard to the Places poſſeſs'd by the one of the ſaid Kings, in order to promote the Peace. And the ſaid Deputys ſhall employ their cares in ſuch manner, that within a Fortnight's time one of the ſaid Kings ſhall agree and be reconcil'd with the other. And they ſhall alſo agree unanimouſly among themſelves, and do their utmoſt that ſpecial regard be had to Equity and Juſtice, in procuring the Intereſt and Advantage of the States, which for the ſake of renewing the ſaid Peace ſhall act in confor-

&c. *Werner Crans*, Burgomaſter of the Town of *Swolle*; *John de Schuylenbourgh*, Senator of the Town of *Groningen*, all Deputys in ordinary in the Aſſembly of the States General aforeſaid, in the Name of *Guelderland*, *Holland* and *Weſtfrieſland*, *Zealand*, *Utrecht*, *Frieſland*, *Overyſſel* and *Groningen*, and Commiſſioners legally authoris'd and impower'd deputed to that Treaty; wherein they have mutually agreed to certain Conditions or Articles, the Tenor whereof follows.

That England, France, *and the Provinces of the* United Netherlands *ſhall by their Ambaſſadors and Miniſters*, &c.

We therefore, after mature Deliberation had upon the Articles aforeſaid, do by theſe Preſents on the part of the Republick of *England*, approve, confirm and ratify all and ſingular the things contain'd in the Articles aforeſaid; promiſing and firmly obliging ourſelves by virtue of theſe Preſents, that all things which are agreed and ſtipulated in the ſaid Treaty to be obſerv'd and perform'd by this Republick and its People, ſhall be by them *bonâ fide* obſerv'd and perform'd. In Witneſs whereof, we have caus'd theſe Ratifications to be ſubſcrib'd by the Hand of our Speaker, and confirm'd with the Great Seal of the Republick of *England*. At *Weſtminſter*, *June* 1659.

Treaty between the Parliament of England, *and the* United Provinces *of the* Netherlands, *for inducing* Sweden *and* Denmark *to make a Peace. Done at the* Hague, July 24, 1659.

IN conſideration of what *George Downing* Eſquire, Commiſſioner of the Parliament of the Republick of *England*, propos'd in Writing to the States General of the *United Provinces* of the *Netherlands* on the 19th day of *July*, 1659, 'tis agreed on both ſides, that the Deputys as well of the Republick of *England*, as of the *United Provinces* of the *Netherlands*, who are ſent to the Kings of *Sweden* and *Denmark*, ſhall be order'd to uſe their utmoſt diligence, that by their Offices a firm and inviolable Peace may be renew'd between the ſaid Kings, on the Baſis and Foundation of the Treaty of *Roſchild*, according to the Articles and Conditions which were agreed upon at the *Hague* the 21ſt of *May* laſt.

And to remove all Cauſe of Diſputes that may hereafter ariſe, on account of any thing for which ſufficient Proviſion is not made by the ſaid Conventions, 'tis agreed, that it ſhall be propos'd to the two Kings, or either of them that deſires it, to alter in or add to the Copy of the Treaty of *Roſchild*, whatſoever ſhall be judg'd neceſſary to be alter'd or added, with regard to the Places poſſeſs'd by the one of the ſaid Kings, in order to promote the Peace. And the ſaid Deputys ſhall employ their cares in ſuch manner, that within a Fortnight's time one of the ſaid Kings ſhall agree and be reconcil'd with the other. And they ſhall alſo agree unanimouſly among themſelves, and do their utmoſt that ſpecial regard be had to Equity and Juſtice, in procuring the Intereſt and Advantage of the States, which for the ſake of renewing the ſaid Peace ſhall act in conformity

mity to what was agreed on at the *Hague*, on the 21ſt of *May*.

And in caſe that within the ſaid Fortnight, the ſaid Deputys are not able to procure an Accommodation between the two Kings, but on the Conditions of the Treaty of *Roſchild* (provided nevertheleſs that the 13th Article of it be quite alter'd or amended by a proper Declaration or Explanation) according to what was agreed here at the *Hague* on the 21ſt of *May* laſt, the ſaid Deputys, and the Fleets, both the *Engliſh* and that of the *United Provinces*, ſhall make it their buſineſs to promote a Peace with all Diligence between the two Kings, conformably to the ſaid Treaty of *Roſchild*, and ſhall endeavour afterwards that the Places poſſeſs'd or conquer'd by either of the two Kings ſince the Treaty of Peace at *Roſchild*, be reſtored or put into the Hands of ſuch Power as they may belong to, by virtue of the Treaty at *Roſchild*: But in ſuch manner nevertheleſs, that the Chaſtellany or Bailiwick of *Drontheim*, with all its Dependencys, ſhall be appropriated to the King of *Denmark*, tho it were otherwiſe agreed by the Treaty of *Roſchild*. Moreover, while the ſaid Treaty of *Roſchild* ſubſiſts in full Force and Vigour, to be executed on both ſides, the Partys ſhall regulate themſelves in every reſpect according to the Convention at the *Hague* on the 21ſt of *May* laſt: Provided nevertheleſs, that they be not thereby depriv'd of the Liberty of ſolliciting the King of *Sweden*, to diſcharge the King of *Denmark* from his Promiſe of 400000 Rixdollars, which were demanded of him for Damage ſuffer'd in *Guinea*.

As to Trade and Navigation, the ſaid Deputys ſhall endeavour to obtain of the King of *Denmark* a Security of Trade and Navigation for the States who are Mediators; and the ſaid Deputys ſhall alſo uſe all the Diligence poſſible, that the King of *Sweden* may ratify and entirely execute the Treaty of *Elbing*, with its Explanation, in ſuch manner that the ſaid States may equally enjoy all the Advantages of the ſaid Treaty, and of its Explanation. And all the States alſo who are included in the ſaid Alliance ſhall enjoy the Conveniencys and Benefits which are ſtipulated for them by this Contract, on condition that they ſhall accept and approve of their being included in the ſaid Treaty of the 21ſt of *March* laſt.

Finally,

Finally, after the Expiration of the ſaid Fortnight, neither the Fleet of *England*, nor the Ships, Fleets and Soldiers of the *United Provinces* of the *Netherlands*, ſhall be permitted to aid or aſſiſt either of the ſaid two Kings, who before the Expiration of the ſaid Fortnight ſhall not accept the Conditions. But all manner of Aid and Relief ſhall be given to him who accepts them, and Meaſures ſhall be taken by the conjunction of the Forces, that he who ſhall ſo refuſe the Conditions which tend to the deſired Peace, ſhall by virtue of this Concert be effectually compell'd to it. Done at the *Hague*, the 24th of *July*, 1659.

Convention between France *, England, *and the* United Provinces, *for procuring a Peace between* Sweden *and* Denmark.

IN order to attain the ſooner to the ſo much deſir'd View of Peace between the Kings of *Sweden* and *Denmark*, purſuant to the Treaty of the 21ſt of *May*, and the Convention of the 24th of laſt Month, is is thought fit, and moreover agreed, that if contrary to all Expectation the firſt day of the Fortnight mention'd in the ſaid Convention of the 24th of *July*, does not begin before the Miniſters have receiv'd the preſent Convention, then the ſaid Fortnight ſhall begin within 24 hours after they receive it.

And in caſe that the Peace be not concluded between the ſaid Kings before the Expiration of the ſaid Fortnight, then the Miniſters of the three States, at leaſt thoſe of *England* and the *United Provinces*, ſhall be oblig'd immediately to declare as Recuſant or Recuſants him or them who ſhall not accept all the Conditions and Clauſes mention'd in the ſaid Convention of the 24th of *July*, and who

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* *The Ambaſſador of* France *declar'd he had no Orders to ſign it.*

ſhall not declare themſelves ready finally to conclude the Peace according to thoſe Terms: and that without any Delay, the Fleets and Ships of *England*, as alſo the Fleets, Ships, and Men of War of the *United Provinces*, ſhall be employ'd in concert for effectually obliging the Refuſer or Refuſers of this Peace ſo much deſir'd, to receive it according to the ſaid Convention of the 24th of *July*, in the Form and Manner that the Miniſters of the three States cooperating in the ſaid Peace, at leaſt thoſe of *England* and the *United Provinces*, ſhall judge the moſt ſpeedy, moſt ſure and moſt effectual; in which they ſhall be oblig'd to proceed forthwith without any loſs of time, and without waiting for or demanding freſh Orders; to the end that the unhappy Conſequences which the Continuance of the War wou'd undoubtedly produce, if the ſaid Peace be not concluded and finiſh'd before the Expiration of this Summer, may not be imputed to the ſaid States, or to their Miniſters reſiding on the Spot.

And that the ſaid Miniſters there reſiding, ſhall conſult together whether it be not proper to ſend back ſome part of the Fleets or Forces of *England* and the *United Provinces*, only leaving a ſufficient number behind for the Execution of the ſaid Convention of the 24th of *July*. Done at the *Hague*, the 4th of *Auguſt*, 1659.

Treaty

Treaty of Peace concluded between John Caſimir *King of* Poland, *and his Confederates* Leopold *the* Roman *Emperor, and* Frederick William *Elector of* Brandenburg *on the one part, and* Charles XI. *King of* Sweden *on the other part; whereby all Enmitys between thoſe Powers are entirely aboliſh'd, and the King of* Poland *for himſelf and his Succeſſors, renounces all Pretenſions whatever to the Kingdom of* Sweden, *and* Livonia *is yielded to the Crown of* Sweden. *Done at* Oliva $\frac{\text{April } 23,}{\text{May } 3,}$ 1660.

In the Name of the Holy and Undivided Trinity.

TO all and ſingular Perſons whom it now doth, or hereafter may in any wiſe concern, be it known, That after the Wars and Quarrels which broke out between the moſt Serene Kings and Kingdoms of *Poland* and *Sweden*, and which were ſometimes quieted and compos'd by Truces, eſpecially that for ſix Years from the Year 1629, and another for 26 Years from 1635; and at laſt the War ſo rag'd between the moſt Serene and Potent Prince and Lord, the Lord *John Caſimir* King of *Poland*, Great Duke of *Lithuania*, &c. &c. and the moſt Serene and moſt Potent Prince and Lord, the Lord *Charles Guſtavus* King of the *Swedes*, *Goths* and *Vandals*, Great Prince

Prince of *Finland*, &c. which has not only exercis'd the ſaid Kings, and their Kingdoms for ſeveral Years, but involv'd the Confederates of *Poland* in the ſaid Quarrel, *viz.* the moſt Serene and moſt Potent Prince and Lord, the Lord *Leopold*, Emperor elect of the *Romans*, King of *Germany*, *Hungary*, *Bohemia*, *Dalmatia*, *Croatia* and *Sclavonia*, Archduke of *Auſtria*, &c. &c. who at the Requeſt of the King of *Poland*, gave Aſſiſtance to that King and Kingdom; as alſo the moſt Serene Prince and Lord, the Lord *Frederick William*, Marquiſs of *Brandenburgh*, Arch-Chamberlain of the ſacred *Roman* Empire, Electoral Prince, and of *Magdeburg*, *Pruſſia*, &c. Duke; which has been attended with a great Effuſion of Chriſtian Blood, and the Deſolation of many Provinces: but at length it came to paſs, thro' the Divine Goodneſs, for the ſake of making a Peace between the King and Republick of *Poland*, and his Confederates and Allies on the one part, that and the King and Kingdom of *Sweden* on the other part, the moſt Serene and moſt Potent Prince and Lord, the Lord *Lewis* the moſt Chriſtian King of *France* and *Navarre*, offer'd his Mediation, and negotiated a Peace by his Ambaſſador, the moſt noble Lord *Anthony de Lumbres*, Lord of *Herbingen*, *Loos* and *la Claye*, Conſiſtorial Count, and Knight of the King's Orders; the moſt Serene Kings of *Poland* and *Sweden*, and the moſt Serene Elector of *Brandenburgh* accepting the ſaid Mediation. To this end therefore, by mutual Conſent of the Partys, the 5th Day of *January*, 1660, was appointed for the Congreſs of the Plenipotentiarys at *Oliva*; and the Ambaſſadors Plenipotentiary of all the contracting Partys legally conſtituted, appearing at the Time and Place appointed, *viz.* on the part of the moſt Serene King and Republick of *Poland*, the moſt Noble and moſt Excellent Lords of the Senatorial Order, the Lord *John* Count *a Leſno*, Palatine of *Poſen*, High Steward and Marſhal of his Royal Majeſty's Court, General of *Great Poland*, *Marienburgh*, Governor of *Corſun*; the Lord *George Lubomirsky*, Count in *Wiſnicz* and *Jaroſlaw*, Chief Velt Marſhal of the Kingdom, General of *Cracow*, *Scepuz*, *Chmiolnicz*, *Pereoſlaw*, *Caſimir*, and Governor of *Holſtein*; the Lord *Nicholas* in *Praſmow*, *Praſmowsky*, High Chancellor of the Kingdom, Biſhop elect of *Luceor* and *Bzeſt*, perpetual Adminiſtrator of the Abbey of *Sieſiechow*, Provoſt of St. *Michael's* College in *Cracow*; the Lord *Chriſtopher Pac*, High Chancellor

cellor of the Great Duchy of *Lithuania*, Governor of *Wilkomitz*, *Oſtrin*, *Cozienic*, *Kleſzelen* and *Nemonocen*, and of the Equeſtrian Order; the Lord *John Andrew* of *Raciborsko*, *Morſtin*, Referendary of the Kingdom, Governor of *Kowalow* and *Zawichoſt*; the Lord *Uladiſlaus* of *Naglowica Rey*, Treaſurer of the Kingdom, and Chancellor of his Royal Majeſty, Governor of *Neokorcin*, *Libus* and *Caminiec*; the Lord *John* in *Gnin Gniſky*, Vice Chamberlain of *Pomerania*, Governor of *Gneſna*. And on the part of the Confederates of *Poland*, viz. of the moſt Serene Emperor of the *Romans*, the moſt Noble and moſt Excellent Lords, the Lord *Francis Charles Libſteinsky*, Count of the Holy *Roman* Empire at *Kollowradt*, Lord in *Richenau*, Counſellor of his Sacred Imperial and Royal Majeſty of *Hungary* and *Bohemia*, Chamberlain, Aſſeſſor of the Great Provincial Tribunal, Royal Lieutenant and Preſident of the Appeals at *Prague*; the Lord *Francis Fee*, Baron of *Liſola*, and Counſellor of the Aulic Chamber at *Thieſe* and *Marienfeld*. And on the part of the moſt Serene Elector of *Brandenburgh*, the moſt Noble and moſt Excellent Lords, the Lord *John ab Hoverbecke* in *Eichmedien*, *Baranowen*, *Gayerſwalde* and *Domkau*, Lord and Heir, his Serene Highneſs's Privy Counſellor, Hereditary Cenſor of the Electorate, and Governor of *Hohenſteim*; the Lord *Lawrence Chriſtopher* of *Somnitz* in *Gromſdorf*, *Drenaw* and *Gerbero*, Lord and Heir, a Privy Counſellor of his Serene Highneſs, and Chancellor of *Eaſtern Pomerania*, Hereditary Chamberlain of the ſaid Duchy, and Governor of *Lawenburg* and *Butow*; the Lord *Albert* of *Oſtaw* in *Nerwiken* and *Kegels*, Lord and Heir, his Serene Highneſs's Counſellor in the ſupreme Court of Appeals of Ducal *Pruſſia*. And on the part of the moſt Serene King and Kingdom of *Sweden*, the moſt Noble, and moſt Excellent Lords, the Lord *Magnus Gabriel de la Gardie*, Count in *Leckoo* and *Arenſburg*, free Baron in *Eckholmen*, Lord in *Habſal*, *Magnuſhoff* and *Hogendorp*, Senator and Treaſurer of his Royal Majeſty, and the Kingdom of *Sweden*, Governor General of *Livonia*, and Lieutenant of the General Militia thro' *Eſthonia*, *Livonia* and *Ingria*, Provincial Judge of *Weſtragoth* and *Dalia*, and Chancellor of the Univerſity of *Upſal*; the Lord *Benedict Oxenſtiern*, Count in *Korſholm* and *Waſa*, free Baron in *Morley* and *Lindholmen*, Lord in *Corporium* and *Roſersberg*, Senator of his Royal Majeſty, and

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the Kingdom of *Sweden*, and Counſellor of the Chancery; the Lord *Chriſtopher Charles Schlippenback*, Count in *Schowede*, free Baron in *Liuſula*, Lord in *Salinge*, Senator of his Royal Majeſty, and of the Kingdom of *Sweden*, and Preſident of the Council of War; and the Lord *Andrew Guldenklau*, Lord and Heir in *Schonola Ekebii*, *Hylynge* and *Hulderſtad*, Counſellor of State to his Royal Majeſty for the Government of Royal *Pomerania*, as alſo Preſident of the High Court of Juſtice. After invoking the Aſſiſtance of the Divine Being, and duly exchanging the Commiſſions of the Plenipotentiarys reſpectively, the Treaty was happily begun; and altho ere it was quite finiſh'd, the Divine Providence ſo order'd it, that the abovemention'd moſt Serene King of *Sweden* departed this mortal Life; nevertheleſs after renewing of the Commiſſions of the Plenipotentiarys, by the moſt Serene and moſt Potent Prince and Lord, the Lord *Charles* King of the *Swedes*, *Goths*, and *Vandals*, Great Prince of *Finland*, &c. the Treaty was happily continued, and at length to the Glory of the Divine Being, and the Welfare of the Chriſtian Republick, all the Partys have agreed and conſented to Articles of mutual Peace and Friendſhip, in ſubſtance as follows, *viz.*

I. There ſhall be a Univerſal and Perpetual Peace, and a true and ſincere Friendſhip between the moſt Serene and moſt Potent Prince and Lord, the Lord *John Caſimir* King of *Poland*, Great Duke of *Lithuania*, &c. &c. and his Majeſty's Succeſſors and Poſterity, the Kings of *Poland*, Great Dukes of *Lithuania*, and the Kingdom of *Poland* and Great Duchy of *Lithuania*, and the Dominions and Provinces thereunto ſubject, and the Confederates of his ſaid Majeſty, and the Kingdom of *Poland*, eſpecially the moſt Serene and moſt Potent Prince and Lord *Leopold*, elected Emperor of the *Romans*, King of *Germany*, *Hungary*, *Bohemia*, *Dalmatia*, *Croatia*, *Sclavonia*, Arch-Duke of *Auſtria*, &c. and his Majeſty's Heirs and Succeſſors, and his Provinces and Dominions, ſituate within the Empire or without, and the moſt Serene Prince and Lord, the Lord *Frederick William*, Marquiſs of *Brandenburg*, Prince, Elector, and Arch Chamberlain of the Sacred *Roman* Empire, Duke of *Magdeburg*, *Pruſſia*, &c. &c. and his Serene Highneſs's Heirs and Succeſſors, Provinces and Dominions ſituate

ſituate within the *Roman* Empire or without, on the one part; and the moſt Serene and moſt Potent Prince and Lord, the Lord *Charles* King of the *Swedes*, *Goths* and *Vandals*, Great Prince of *Finland*, &c. &c. &c. and the *Swediſh* Kings, his Majeſty's Succeſſors and Poſterity, and the Kingdom of *Sweden* and the Dominions and Provinces thereunto ſubject, whether ſituate within or without the Empire, on the other part; in ſuch manner that the one Party ſhall not hereafter, publickly or ſecretly, directly or indirectly, commit any Hoſtility or Act of Enmity, againſt the other, or cauſe it to be done by his own Subjects, or by others; nor ſhall under any pretence whatſoever give Aſſiſtance to the Enemys of the other, nor enter into any Leagues with the Enemys of the other, contrary to this Treaty of Peace, nor endeavour or attempt, nor cauſe any thing to be attempted to the Diminution of the other's State and Security, by himſelf or by others; but both Partys ſhall promote the Profit, Honour and Conveniency of the other, and ſhall ſeriouſly cultivate and preſerve a good Neighbourhood, Peace and Friendſhip with one another. And all Covenants and Treatys which are eſtabliſh'd between the contracting Partys, or between them and other Princes and States on both ſides, ſhall remain entire and in full force, with reſpect to all their Sections, Clauſes and Articles: Provided nevertheleſs, that the preſent Treaty of Peace ſuffer thereby no Prejudice.

II. § 1. There ſhall be a perpetual Oblivion and Amneſty of all thoſe things which have been hoſtilely committed by any of the covenanting Powers whomſoever, in what Place, and in what manner ſoever, ſo that neither of the Partys ſhall hereafter on that or any other Account or Pretext, commit any Hoſtility or Act of Enmity againſt any one of the other Partys, in Form of Law, or by Violence; nor cauſe it to be done by his own or other's Subjects.

§ 2. All and ſingular Perſons, of whatſoever State, Condition and Religion they are, ſhall enjoy this General Amneſty, and alſo all Communitys which on either ſide have taken part with the Enemy, or are fallen into the Enemy's Poſſeſſion; nor ſhall any Perſons ſuffer Prejudice and Detriment by this War, in their Rights, Privileges and Cuſtoms, General and Special, whether in matters Eccleſiaſtical or Civil, which they enjoy'd

before this War, but they ſhall have entire Enjoyment of them according to the Laws of the Kingdom. Nor ſhall any Communitys, or private Perſons, be ſued for adhering to the Enemy, nor ſhall any Perſon give another Trouble, or reproach him for any ſuch adherence to the Enemy.

§ 3. The Towns of Royal *Pruſſia* which have been during this War in the poſſeſſion of his Royal *Swediſh* Majeſty, and of the Kingdom of *Sweden*, ſhall likewiſe be continued in the Enjoyment of all the Rights, Libertys and Privileges, in matters Eccleſiaſtical and Civil, which they enjoy'd before this War, (ſaving the free Exerciſe of the Catholick and Proteſtant Religion, as it prevail'd in the ſaid Citys before the War) and his Sacred Royal Majeſty of *Poland* ſhall hereafter manifeſt his Goodneſs, Favour and Protection to their Territorys, Magiſtrates, Communitys, Citizens, Inhabitants and Subjects, in the ſame manner as formerly. They ſhall likewiſe have Power given them to repair and rebuild the publick and private Edifices ruin'd by the War; but as for thoſe Buildings which have been demoliſh'd for better Defence, they ſhall not be oblig'd to raiſe them again. Nor ſhall any body give Trouble on account of thoſe things which it was neceſſary for the Iſlanders to pay inſtead of Tribute to the *Swediſh* Militia; nor ſhall Perſons be moleſted on account of Tenths or other Subſidies, which the Subjects of the Iſlands cou'd by no means pay in a time of War.

§ 4. All Actions and Informations commenc'd, and not yet ended and brought to Execution, againſt thoſe who adher'd to the Enemy's Party in this War, or who are accus'd of having follow'd it, in whatſoever places of *Poland*, the Great Duchy of *Lithuania*, Royal *Pruſſia*, and *Courland* they dwell, and whatever State and Condition or Religion they are of, whether they are private Perſons or Men in publick Offices, or whether they have ſerv'd his Royal Majeſty of *Sweden* in War, or in Peace, ſhall be made void, and never be put in execution: Nor ſhall any Action or Information be hereafter ever commenc'd againſt them for this Cauſe.

§ 5. Whatever Moveables have been taken during this laſt War by Right of Forfeiture, or by reaſon or pretence of Adherence to, or Protection of the other Party, from

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any Nobleman or Plebeian of whatever Rank, Condition, and Religion; or have been brought into the Exchequer or made over to other Persons, whether they belong to the King and Republick, or even to private Persons, shall remain in the Hands of the present Possessors. But if such Escheats have not been executed yet, they shall be left to the former Possessors, nor shall any Action hereafter be enter'd against Communitys or private Men on account of such Effects. But Goods immoveable, Hereditary, Estates on Lives, and held upon Mortgages, shall, tho forfeited into the Exchequer, and given and granted away, return to the possession of the former Owners, and all Actions on account of the Revenues collected from Estates whether publick or private, shall also cease.

III. § 1. The most Serene and most Potent Prince and Lord, the Lord *John Casimir* King of *Poland*, for the sake of Peace, does for himself and his Heirs and Successors, by virtue of this Treaty of Peace, now and for ever hereafter renounce all manner of Pretensions to the Kingdom of *Sweden* and the great Principality of *Finland*, and the other Provinces, Countrys, Dominions, Citys, Castles and Fortifications to them subject, whether they are of late, or of antient Acquisition. Nor shall he now or at any time hereafter lay any Claim to Estates of antient Inheritance in the Kingdom of *Sweden* and the said Provinces, nor to the Kingdom of *Sweden*, nor to the said Provinces and Estates.

§ 2. As to the Titles and Arms, the Agreement is as follows. That the most Serene King of *Poland*, as he hath hitherto done, shall, during his Life, make use of all the Titles and Seals and Arms of the Kingdom of *Sweden*, in *Poland*, and to all Princes, States and private Men out of *Sweden*, but without any prejudice to the aforesaid plenary Renunciation: But he shall not make use of the said Titles and Arms to the most Serene Kings, and to the Kingdom of *Sweden*, in Letters Patents, or any other Writings; but the method hitherto receiv'd of abbreviating the Titles with *et ceteras* shall be observ'd on both sides, in such manner that after the words *Great Duke of Lithuania* three *et ceteras* be added in the Title of the present most Serene King of *Poland*; and so after the words Great Prince of *Finland* three *et ceteras* shall be added in the Title of the most Serene King of *Sweden*. Provided nevertheless,

vertheleſs, that the Arms of the Kingdom of *Sweden* be altogether left out in the Seals of the King and Republick of *Poland*, when they write to *Sweden*; and after the Death of the preſent moſt Serene King of *Poland*, his Succeſſors and the Republick of *Poland* ſhall never lay any Claim to the Title and Arms of *Sweden*: But the Kings and Kingdoms on both ſides ſhall each enjoy and uſe their reſpective Titles and Arms in full and ample manner.

IV. § 1. The moſt Serene King and the States and ſeveral Orders of the Kingdom of *Poland*, and of the Great Duchy of *Lithuania*, do, by virtue of this Pacification, now and for ever yield up to the moſt Serene King of *Sweden* and his Succeſſors the Kings and to the Kingdom of *Sweden*, all that part of *Livonia* beyond the *Duina*, which *Sweden* has hitherto held and poſſeſs'd, during certain Truces; as alſo all the Parts on this ſide the *Duina*, and the Iſland of *Rugen* ſituate in the Sea, which *Sweden* has held and poſſeſs'd during ſuch Terms of Truces, together with all the Right whatſoever which the Kings and Republick of *Poland* have hitherto in any manner claim'd to *Eſthonia* and *Oeſel*. And they transfer all and ſingular the Premiſes, with all their Appurtenances by Sea and Land, Citys, Caſtles, Fortifications, Goods and Revenues, together with all the Rights, Juriſdictions, Royaltys, Lordſhips, both in Affairs Eccleſiaſtical and Political, without exception of any, to the full Sovereignty and Propriety of the Kings and Kingdom of *Sweden*; and they diſcharge the ſeveral Orders and Subjects in the ſaid *Livonia*, and the parts thereof abovemention'd, from all Ties of Obedience and Oaths of Fidelity to the King and Republick of *Poland*; and ſhall not hereafter form any Demand upon them and the ſaid *Livonia* on this ſide the *Duina*, nor any thing thereto appertaining. And the moſt Serene Kings and the Kingdom of *Sweden* ſhall not extend the Borders of their Poſſeſſions in *Courland* or *Semigallia* farther than they have hitherto extended, or demand Services from the Subjects of the moſt illuſtrious Duke of *Courland*, or claim any Right of cutting Wood, or any other Right whatſoever in *Courland* or *Semigallia*: But Commiſſioners ſhall be deputed on both ſides for declaring and determining the Limits; and the ſaid Commiſſion ſhall be open'd within a Month after the Signing of this Treaty, and be finiſh'd within a Fortnight.

§ 2. As

§ 2. As for what appertains to the Catholick Religion and the Exerciſe of it in *Swediſh Livonia*, all the Inhabitants and Subjects of *Livonia*, who are of that Religion, ſhall enjoy all manner of Security and Liberty of Conſcience, and ſhall privately uſe their own Religion and Worſhip at home, without Examination or Animadverſion.

§ 3. The Provincial Titles both ſpiritual and temporal of the Senatorial and Equeſtrian Order in *Swediſh Livonia* ſhall remain with the preſent Poſſeſſors during life, without any Increaſe or other Pretenſions. Nor ſhall any occaſion be taken from thence to prejudice the Right of his ſacred Royal Majeſty and the Kingdom of *Sweden* to *Swediſh Livonia*; nor ſhall any Claim ariſe from thence, in the mean time or hereafter, to the Kingdom of *Poland*, and the Great Duchy of *Lithuania*.

§ 4. All Sentences and Decrees, at whoſe ſuit ſoever obtain'd, ſo that they were not paſs'd againſt the Innocent and Abſent, as alſo all Contracts and Tranſactions concluded, judicially or extrajudicially, in Places kept during the War by *Sweden*, provided they are not repugnant to the Conſtitution as it ſtood before this War, and to the preſent Pacification, ſhall remain as valid as if no change of Government and Magiſtrates had interven'd; ſaving Appeals and Reviews, in caſes where theſe Remedies of Right have not been made uſe of, and which have not paſs'd into a Law. And all Sentences and Decrees in like manner which have paſs'd at *Riga*, againſt the Inhabitants and Subjects of the Great Duchy of *Lithuania*, *Courland* and *Semigallia*, who have not been heard, ſhall be of the ſame Force. But on the contrary, ſuch Sentences and Decrees as have been paſs'd about the time of the War by the Magiſtrates of the Great Duchy of *Lithuania* and *Courland*, againſt the Subjects of *Swediſh Livonia*, ſhall never be of any Validity or Force.

V. § 1. The ſouthern Part of *Livonia*, which before and during the War, and during the time of the Truce, was under the Dominion of the Kingdom of *Poland* and of the Great Duchy of *Lithuania*, viz. *Duneberg* and *Roſitten*, *Lutzen*, *Marienhuyſen*, &c. and all the other Places which ſhall appear to Commiſſioners to be deputed on both ſides to have been at the time of the Truce in the poſſeſſion of *Poland*, with all their Appurtenances, Territorys, Towns, Villages, Product, Revenues, and

Rights of Toll, ſhall remain in the abſolute Domain and Poſſeſſion of the moſt Serene Kings and Kingdom of *Poland*, and the Great Duchy of *Lithuania*; nor ſhall the moſt Serene Kings or the Kingdom of *Sweden* ever claim or be qualifv'd to claim any Right to that part of *Livonia*, as being different from the other, nor to the Duchy of *Courland* and *Semigallia*, nor to the Diſtrict of *Pilten*, either in reſpect of *Northern Livonia*, or under any other Pretext. And whereas the Great Duke of *Muſcovy* doth at this time keep not only the ſaid *Poliſh Livonia* but alſo a part of *Sweden* by Force of Arms, 'tis therefore agreed, that if the Republick of *Poland* ſhall at any time whatſoever recover any thing of *Swediſh Livonia* from the *Muſcovites*, by Arms or by Treaty or otherwiſe, it ſhall be oblig'd ſpontaneouſly and freely to reſtore the whole of it to *Sweden*, without deducting the Expences in War; and in like manner, if the Kingdom of *Sweden* ſhall at any time whatſoever recover any thing of *Poliſh Livonia* from the *Muſcovites*, by Arms or Treaty or otherwiſe, it ſhall be oblig'd to reſtore the whole of it to *Poland* and the Great Duchy of *Lithuania*, ſpontaneouſly and freely, without reckoning the military Expences.

§ 2. His ſacred Royal Majeſty of *Poland*, and his Succeſſors the Kings of *Poland* and Great Dukes of *Lithuania*, ſhall by reaſon of *Southern Livonia*; and his ſacred Royal Majeſty of *Sweden*, and his Succeſſors the Kings of *Sweden*, by reaſon of *Northern Livonia*, ſhall promiſcuouſly uſe the Style and Arms of *Livonia*, with the Title of Dukes.

§ 3. If hereafter any Controverſys ſhall happen to ariſe concerning the Boundarys, or other matters, between the Kingdom of *Poland*, the Great Duchy of *Lithuania*, *Poliſh Livonia* and *Courland* and *Semigallia*, on the one Part, and the Kingdom of *Sweden* and the Provinces thereunto ſubject, and eſpecially *Swediſh Livonia*, on the other Part, the ſame ſhall be amicably accommodated by Commiſſioners deputed on both ſides to the Frontiers of *Livonia*. But if any leſſer Diſputes ſhall ariſe between the Subjects and Inhabitants of both Partys which the Litigants cannot ſettle amicably, every Party ſhall be at Liberty to take his Courſe at Law, and Juſtice ſhall be adminiſtred without Delay.

§ 4. All the Subjects whatſoever, Fugitives from the Great Duchy of *Lithuania*, *Samogitia*, *Poliſh Livonia*, and *Courland* and *Semigallia*, that have been found in the late

War; or ſhall be found hereafter in *Swediſh Livonia*, ſhall be reſtor'd to their Sovereigns without any Form of Law, together with as much of their Moveables as can be found, which the Fugitives took with them, and did not acquire under their new Maſter. And *vice verſâ*, if any Subjects, Fugitives from *Swediſh Livonia*, ſhall be found in the Great Duchy of *Lithuania*, *Poliſh Livonia*, and *Courland* and *Semigallia*, and even thoſe that were carry'd away by Force, if they are ſtill living, ſhall be reſtor'd, without judicial Proceſs, to their reſpective Sovereigns.

§ 5. His ſacred Royal Majeſty of *Poland*, to ſhew his Regard to Trade and Navigation, permits the Sea-Marks built in *Domeſnes* and *Luſeroth* to ſtand; but as to the preſerving and maintaining of them, the *Swedes* ſhall agree with the Lords of the Soil; and the Kingdom of *Sweden* ſhall not upon that account form any Right or Pretenſion to the ſaid Land, or to the Territory of *Pilten*.

VI. The moſt Illuſtrious Duke of *Courland* and *Semigallia*, with his moſt Serene Ducheſs and their Ducal Iſſue, and the whole Family and Court, ſhall be entertain'd at *Riga* in *Livonia* for ſix weeks and no longer, reckoning from the 5th of *April N. S.* and from thence ſhall be conducted to the Frontiers of *Semigallia* in a decent and agreeable manner, ſuitable to his Dignity, within a fortnight after the ſigning of the preſent Treaty; and all his and their Moveables at *Riga*, or whereſoever they are laid up, as alſo their publick Deeds, or the Documents of private Perſons, ſhall be honeſtly produc'd and carry'd back to *Mittaw*: but before they are deliver'd, for plenary Reſtitution, Care ſhall be taken by a particular *Diploma Reverſalium*, that no Offence or Repriſal ſhall be committed againſt his Sacred Royal Majeſty and the Kingdom for the future; ſaving all the Allegiance and Engagements to the Kings and Kingdom of *Poland* and to the great Duchy of *Lithuania*.

VII. § 1. The moſt Serene King and the Kingdom of *Sweden* reſtores to the moſt Serene King and the Republick of *Poland*, *Marienburg* and *Elbing* with their Forts, and all the other Places in *Pruſſia* which are gariſon'd by the *Swedes*; and *Marienburg* with its Caſtle and Forts, as alſo *Stuma*, ſhall be evacuated in a Week after the ſigning of the preſent Treaty, and put into the Hands of the moſt Excellent Lord Mediator, after the moſt Serene

King of *Poland* has proviſionally ratify'd theſe Articles, and from thence the *Swediſh* Gariſon ſhall be tranſported to *Elbing*: And when the preſent Treaty has been confirm'd by the plenary Ratification of the moſt Serene King of *Poland*, and has been ratify'd by the authority of the Deputys of the Republick, who are to meet in the next Dyet, *Elbing* ſhall be reſtor'd without diſpute in four days after the Exchange of the Ratifications, and deliver'd up to the moſt Serene King of *Poland*, and his Commiſſioners. *Bausk* alſo and other Places, if there are any in *Courland* in the Hands of the *Swedes*, ſhall be evacuated by the *Swediſh* Gariſons within a Week after notice is given of the underwritten Treaty to the General of the Forces in *Livonia*, or in his Abſence to his Lieutenant; which Notice ſhall be proclaim'd jointly at *Riga* by the Trumpets of both Partys.

§ 2. The *Swediſh* Soldiers, together with their great and ſmall Artillery, and Bag and Baggage, ſhall be tranſported from *Elbing* at ſeveral times, according to the Convention hereby made, but within the Term limited for exchanging the Ratifications and the Evacuation of *Elbing*; and they ſhall have free and unmoleſted paſſage thro' the *Haff* to the Harbour of *Pillau*, and from thence to their own Ships, in which the Soldiers ſhall ſail to the *Swediſh* Territorys. And the ſaid Soldiers when they go off ſhall be put on board Veſſels of *Elbing*; and if there are not ſufficient to tranſport them, then they ſhall be accommodated with the Ships of the other adjacent Territorys without any Premium. The Commander of the *Swediſh* Forces ſhall alſo treat and agree with the General of the Troops of the Electorate of *Brandenburg*, or his Lieutenant, on the method of paſſing thro' the ſaid Harbour of *Pillau*. And moreover, the ſaid Tranſportation ſhall be made without doing any Damage or Injury to the Subjects in *Pruſſia*, whether thoſe of *Poland*, or of the Electorate. But if it be not ſafe for the Forces to venture to Sea, by reaſon of the Dangers of War, the Commiſſioners of the moſt Serene King of *Poland* and the Elector of *Brandenburg* ſhall be allow'd to carry them the neareſt way by Land to the *Swediſh* Dominions, without Impediment or Moleſtation, and without doing any Damage to the Inhabitants, who are ſubject to the Republick of *Poland*, and the moſt Serene Elector of *Brandenburg*; and ſpeedy Juſtice ſhall be adminiſter'd uprightly,

rightly by the Generals to thoſe who ſuffer any Damage or Injury.

§ 3. If any Perſon or Perſons have not a mind to ſtay in any of the Citys of *Pruſſia* and their Territorys that are to be evacuated, but chuſe to go and dwell elſewhere, they ſhall be allow'd three years time to ſell off their Goods, to lett them to others, or to diſpoſe of them as they pleaſe, without ſubjecting them to any Hindrance or Charge, under any pretext whatſoever; ſaving the antient Rights and Privileges of the Citys.

VIII. Whatſoever has been given thro' the Neceſſity of War, or for any other Cauſe, either by private Perſons, or by Communitys, Armys, and Provinces, in *Poland* and the Great Duchy of *Lithuania*, and in the Provinces thereto annex'd, particularly *Courland*, by whatſoever Title of Patents, Bonds, Deeds, and publick Inſtruments; all the Originals which remain ſhall at the Exchange of the Ratifications be deliver'd faithfully to the moſt Serene King and Republick of *Poland*, and to the Duke of *Courland*. But if they have periſh'd by Shipwreck, or by any other Misfortune, all ſuch Writings and Acts, publick and private, are from this time made void, annihilated and cancell'd: and 'tis hereby declar'd that upon that account the Kings and Kingdom of *Sweden* can have no legal Claim of Right or Demand upon the Provinces, Armys, Diſtricts or Peculiars in *Poland*, the Great Duchy of *Lithuania*, and the Provinces thereto adjoyning or ſubject; and particularly in *Courland*, and the Diſtrict of *Pilten*.

IX. The *Swedes* ſhall alſo reſtore all the Archives, publick Acts, Military, Civil and Eccleſiaſtical, as alſo the Royal Library which was ſeiz'd and carry'd out of the Kingdom of *Poland*, and the Great Duchy of *Lithuania*, a conſiderable part of which is recoverable, and that within the Term for exchanging the Ratifications; or at moſt within three Months after it.

X. Whatever Bonds and Recognizances have been enter'd into on the part of the moſt Illuſtrious Duke of *Courland* and *Semigallia*, or of the Inhabitants of *Courland* and *Semigallia*, and the Diſtrict of *Pilten*, are abſolutely made void by the *Swedes*, and declar'd to be of no Weight; as are, *vice versâ*, thoſe of the *Swedes* by the *Poles*.

XI. Debts whereſoever contracted between the Subjects and Inhabitants of both Partys, and alſo by the Ge-

nerals and Field Officers, ſhall be paid on both ſides, *bonâ fide*; and if any Bonds and Recognizances have been enter'd into during the late War on either ſide, they are abſolutely made void, and declar'd to be of no Weight.

XII. All Pledges and other Moveables, wherever they are found, and not yet condemn'd to be forfeited, ſhall honeſtly be reſtor'd to the proper Owners. But no body ſhall be oblig'd to refund thoſe things which are condemn'd as Forfeitures.

XIII. All the great and ſmall Artillery taken by the *Swedes* in *Poland*, the Great Duchy of *Lithuania*, *Pruſſia*, *Courland*, and the reſt of the adjacent Provinces, whether they belong to the Republick, or to private Perſons, which ſhall be found in the Places to be evacuated, ſhall be left exactly as they are: but as for thoſe which have been carry'd out of *Sweden* into *Poland*, *Lithuania*, *Pruſſia*, or *Courland*, it ſhall be free for the *Swedes* to take them away with them without any oppoſition. And what yet remains to be perform'd in the Affair of the Surrender of *Thorn*, ſhall in this reſpect be accompliſh'd.

XIV. § 1. All Perſons of whatſoever Rank and Condition, taken Priſoners on both ſides in any Place whatſoever during this War, between the *Poles*, *Lithuanians*, and *Swedes*, ſhall be diſcharg'd freely, and without Ranſom reſtor'd to their former Liberty, unleſs it has been otherwiſe agreed by them before this Treaty; provided they pay the Expences which the Officers have been at for their Subſiſtence, and diſcharge the Debts they contracted while they were Priſoners. Moreover, thoſe ſhall be reckon'd among the Priſoners, and be reſtor'd on both ſides, who were impreſs'd by either Party into the War. All the abovemention'd Priſoners who are detain'd in *Poland*, the Great Duchy of *Lithuania*, Royal *Pruſſia*, both *Livonias*, or *Courland*, ſhall be reſtor'd to Liberty within three Weeks after the preſent Treaty; and thoſe who are detain'd out of *Poland*, *Lithuania*, the *Livonias* and *Courland*, ſhall be ſet at Liberty within three Months. But what is ſaid above relating to the Payment of the Ranſom, ſhall only take place with the Head Officers, ſuch as Generals, Colonels, Lieutenant Colonels and Captains.

§ 2. His Sacred Royal Majeſty, and the Kingdom of *Poland*, and the Great Duchy of *Lithuania*, have thought

thought fit for the ſake of perpetuating the Peace, to interpoſe their Authority and Offices with the *Cham* and the *Hords* of the *Tartars*, that the *Swediſh* Priſoners in *Tartary* may be diſcharg'd from thence, without Ranſom, in ſix Weeks time; and that when they are ſo diſcharg'd, they may paſs freely and ſafely thro' the Kingdom of *Poland*, and the Great Duchy of *Lithuania* and the adjacent Provinces, and be civilly treated till they come into the *Swediſh* Provinces and Territorys.

XV. § 1. The Commerce formerly carry'd on between both the Kingdoms of *Poland*, and the Great Duchy of *Lithuania* and *Sweden*, and their Provinces, Subjects and Inhabitants, ſhall be free and unmoleſted both by Land and Sea, and us'd and exercis'd in the ſame manner as during the Truce. Eſpecially there ſhall be a free Exerciſe of Commerce and a free Circulation of Merchandize by the Rivers *Duina* and *Bulderaw*, between the Subjects and Inhabitants of *Swediſh Livonia*, and the Subjects and Inhabitants of the Kingdom of *Poland*, and the great Duchy of *Lithuania*, and *Poliſh Livonia*, and *Courland* and *Semigallia*. And *vice verſâ*, there ſhall be a free Uſe of Commerce by the ſame Rivers for the Subjects and Inhabitants of the Kingdom of *Sweden*, and *Swediſh Livonia*, with the Subjects and Inhabitants of *Poland*, *Lithuania*, *Poliſh Livonia*, and *Courland* and *Semigallia*. And as for the Tolls and Cuſtoms in the Rivers *Duina* and *Bulderaw*, and the Maritime and Land Dutys in *Livonia*, they ſhall hereafter be payable at the ſame rate, and in thoſe Places only on both ſides, as at the time of the Truce, and before the laſt War.

§ 2. The Inhabitants alſo of *Great Poland*, of whatſoever Condition they are, and whether they traffick by Land or by Water, ſhall not be loaded with any new Cuſtoms and Gabels at *Stetin*.

§ 3. The City of *Dantzick* alſo, and the other Citys of *Pruſſia* in the Kingdom of *Sweden*, and the Provinces thereunto ſubject, ſhall enjoy the ſame Liberty of Commerce and of Cuſtoms as they enjoy'd before the laſt War.

XVI. The Count *Coningſmark* Velt Marſhal of *Sweden* ſhall be decently entertain'd at *Dantzick* for ſix Weeks and no longer, from the 5th day of *April N. S.* and within a fortnight after, when the preſent Treaty is ſign'd, he ſhall be ſet at Liberty; but before plenary Reſtitution

is made, it ſhall be provided by a particular *Diploma Reverſalium*, that there be no Offence or Revenge committed againſt his Sacred Royal Majeſty and the Kingdom of *Poland*, and particularly the City of *Dantzick*; ſaving nevertheleſs the Obedience and Allegiance due to the King and Kingdom of *Sweden*.

XVII. The moſt Serene King and Republick of *Poland* caution all Perſons, by virtue of the general Amneſty granted them in the preſent Convention, that they will for performance thereof have due regard to the moſt Illuſtrious Princeſs *Ann Mary*, only Daughter of the late moſt Illuſtrious Duke *Januſch Radzivil*, Palatine of *Wilna*, Generaliſſimo of the Forces, and Duke of the Great Duchy of *Lithuania*, in her acceſſion to her Inheritance and Patrimony, both by the Father's ſide and the Mother's ſide, according to the lawful Cuſtom of the Kingdom, and of the Great Duchy of *Lithuania*.

XVIII. The dead Bodies of the Generals and other Officers, whether interr'd in *Poland* or in *Pruſſia*, or kept above Ground, ſhall be deliver'd, and not deny'd to thoſe Perſons who ſhall have the care of taking them away. And as for thoſe Bodys which both in the former and in the laſt War were bury'd at *Elbing*, *Marienburg*, and other Churches in *Pruſſia* and *Poland*, they ſhall lie untouch'd, and their Sepulchres ſhall be free from all Violation and Diſturbance.

XIX. At the deſire of the Duke of *Croy*, in regard to Debts owing him from the Republick of *Poland*, 'tis agreed, that the ſaid Lord Duke ſhall prove his Demand, by producing the original Bonds at the next General Dyet, when he ſhall have Juſtice done him; ſaving the Right alſo of the moſt Illuſtrious Duke of *Courland*, if he has any Claim to the ſaid Sums.

XX. As to any demand of the Counts *de Dohna*, of Money owing from the Republick of *Poland*, as far as it can be made evident, they ſhall have juſt Satisfaction in the future Dyets of the Kingdom.

XXI. The Baron *Sigiſmond de Guldenſtern* ſhall alſo have Juſtice done him by *Sweden*, as to any Eſtate or Effects by him claim'd in the Kingdom of *Sweden*, or the Provinces thereunto ſubject.

XXII. § 1. The ſame Peace, Friendſhip, Amneſty and perpetual Oblivion of all things paſt, under the ſame Proviſoes and Reſtrictions contain'd in this Inſtrument, ſhall

ſhall be in force, and for ever eſtabliſh'd between the moſt Serene and moſt Potent Prince and Lord *Leopold*, Elect Emperor of the *Romans*, always Auguſt, King of *Germany*, *Hungary*, *Bohemia*, *Dalmatia*, *Croatia* and *Sclavonia*, Archduke of *Auſtria*, Duke of *Burgundy*, *Brabant*, *Stiria*, *Carinthia*, *Carniola*, Marquiſs of *Moravia*, Duke of *Luxemburg*, and of Upper and Lower *Sileſia*, *Wirtemberg* and *Thecka*, Prince of *Swabia*, Count of *Hapsbourg*, *Tyrol*, *Terrette*, *Kybourg* and *Goutia*, Landgrave of *Alſace*, Markgrave of the holy *Roman* Empire, *Burgaw*, and Upper and Lower *Luſatia*, Lord of *Windiſhmark* and *Sclavonia*, *Portnaw* and *Salins*, chief Confederate of *Poland*, and Ally in the War, together with his Heirs and Succeſſors, the Kingdoms and Provinces under their Dominion, as well within as without the *Roman* Empire, and their Subjects and Inhabitants; and the moſt Serene Lord *Charles* King of the *Swedes*, *Goths* and *Vandals*, and Hereditary Prince, Great Prince of *Finland*, Duke of *Schonen*, *Eſthonia*, *Livonia*, *Carelia*, *Bremen*, *Verden*, *Stetin*, *Pomerania*, *Caſſuben* and *Vandalia*, Prince of *Rugen*, Lord of *Ingermerland* and *Wiſmar*, alſo Count Palatine of the *Rhine*, Duke of *Bavaria*, and his Heirs and Succeſſors, the Kings and Kingdom of *Sweden*, and the Provinces thereunto ſubject, ſituate as well without as within the *German* Empire, and their Subjects and Inhabitants, in ſuch manner, that whatſoever Offences and Animoſitys, or Pretenſions, might ariſe on either ſide, either before or during the War, either in or out of *Poland*, either on account of any Aſſiſtance given to the moſt Serene King and Republick of *Poland*, or for any other cauſe, ſhall be bury'd in perpetual Oblivion. It ſhall be lawful for neither Party, on any pretence whatſoever, to invade the Kingdoms, States, or Provinces of the other, ſecretly or openly, directly or indirectly, or to commit any kind of Hoſtility againſt them; but the one ſhall promote the Advantages of the other, and all things ſhall be reſtor'd and re-eſtabliſh'd between both Partys, and their States, and Subjects, on the former Footing, Union and good Correſpondence; and none of the Subjects of either Party, or the States and Vaſſals of the Empire ſhall be injur'd or prejudic'd for having eſpous'd or oppos'd the Party of the other in this War; but whoſoever purely for the ſake of this War has loſt his Subſtance, and is fallen from his Rank, he ſhall without any delay, and without contradiction

tradiction be reſtor'd to the condition he was in immediately before the War, with reſpect to his Honours and Eſtates, and alſo with reſpect to his Moveables, if they are not condemn'd, and actually forfeited, and he ſhall poſſeſs and enjoy the ſame in full and ample manner.

§ 2. And that this Peace and Friendſhip may be eſtabliſh'd on ſtronger Foundations, his Sacred Imperial Majeſty ſhall fully reſtore all the Places which have been ſeiz'd and gariſon'd by his Soldiers in *Pomerania* and *Mecklemburg*, to the moſt Serene King and Kingdom of *Sweden*; and thoſe which he has gariſon'd in *Holſtein* and the Duchy of *Sleſwick*, to the Duke of *Holſtein Gottorp* (who, ſhall be deem'd as included in this Peace by the Conſent of the Partys; with a Proviſo nevertheleſs, that he take no Revenge, according to the Form herein agreed) with their reſpective Guns, and all kind of military Furniture and Proviſion, together with all the Moveables of whatſoever ſort, alſo the Acts of Chancery, Records, and written Documents, as all thoſe things are found at the time of taking Poſſeſſion or Surrender and not alienated: which Evacuation of the Places, *viz.* in *Pomerania* and *Mecklemburg*, ſhall, excepting *Wollin*, *Dam* and *Greiffenhagen*, be perform'd within a Fortnight, reckoning from the Day of the exchange of the Ratifications, in which time *Elbing* ſhall alſo be reſtor'd to *Poland*; but *Wollin*, *Dam* and *Grieffenhagen*, and alſo the Places in *Holſtein* and the Duchy of *Sleſwick*, ſhall be evacuated within another Fortnight, to be computed from the Day of the aforeſaid Exchange; during which all the Soldiers ſhall be withdrawn from the ſaid Gariſon-Towns, and all the Forces from the Provinces belonging to his Sacred Royal Majeſty and the Kingdom of *Sweden*, the Dukes of *Mecklemburg*, and the Duke of *Holſtein Sleſwick*, in ſuch proportion and manner as ſhall be agreed on between the Generals of both Partys, or their Lieutenant Generals, within the time limited for exchanging the Ratifications.

§ 3. Moreover, whatever Controverſy has happen'd about the Affairs of the Empire, ſhall be accommodated or decided according to the Laws of the Empire, and the Peace of *Germany*, without the Noiſe of Arms; and both Partys ſhall ſtand in all things to the Diſpoſition of the Treaty of *Oſnabrug*, and the Conſtitutions of the Empire.

XXIII. In like manner the Priſoners taken in this War, as well on the part of the moſt Serene Emperor, as of the

the moſt Serene King of *Sweden*, of whatſoever Rank and Condition they are, ſhall be diſcharg'd free, and without paying any Premium or Ranſom, unleſs it was otherwiſe agreed by them before the ſigning of this Treaty, within the Term of three Weeks from the Day of the Ratification, and reſtor'd to their former Liberty, paying the Sums expended by the Officers for their Subſiſtence, and the Debts by them contracted while they were Priſoners: and with theſe Priſoners thoſe ſhall alſo be reſtor'd to their Liberty on both ſides, who were forc'd to bear Arms for either Party againſt their Wills. And what is above mention'd concerning the Payment of the Ranſom agreed on, ſhall only take place with the Great Officers, as Generals, Colonels, Lieutenant Colonels and Captains.

XXIV. § 1. There ſhall alſo be a perpetual Peace, and a true and ſincere Friendſhip betwixt the moſt Serene and moſt Potent Prince and Lord, *Charles*, King and Hereditary Prince of the *Swedes*, *Goths* and *Vandals*, Great Prince of *Finland*, Duke of *Schonen*, *Eſthonia*, *Livonia*, *Carelia*, *Bremen*, *Verden*, *Stetin*, *Pomerania*, *Caſſuben* and *Vandalia*, Prince of *Rugen*, Lord of *Ingermerland* and *Wiſmar*, alſo Count Palatine of the *Rhine*, and Duke of *Bavaria*, his Heirs and Succeſſors, and the future Kings and Kingdom of *Sweden*, the Provinces, States, and the Dominions thereof, ſituate in the Empire or out of it; and the moſt Serene Prince and Lord *Frederick William*, Marquiſs of *Brandenburg*, Arch Chamberlain and Elector of the Holy *Roman* Empire, Duke of *Magdeburg*, *Pruſſia*, *Juliers*, *Cleves* and *Mons*, *Stetin*, *Pomerania*, *Caſſubia*, of the *Vandals*, and *Croſſen* and *Carnau* in *Sileſia*, Burgrave of *Nuremberg*, Prince of *Halderſtadt* and *Minden*, Count of *Marck* and *Ravensberg*, Lord of *Ravenſtein*, a Confederate of *Poland*, and Ally in the War, and his Heirs and Succeſſors, and the Provinces, States and Dominions ſituate in and without the *Roman* Empire, in ſuch manner that the one ſhall ſeriouſly and ſincerely promote the Honour, Conveniency and Advantage of the other for ever.

§ 2. All Treatys and Leagues made by the contracting Partys, between themſelves or with other Princes and States on both ſides, ſhall remain in all their Points, Clauſes and Articles, entire and in full Force; provided nevertheleſs, that the preſent Negotiation of Peace may thereby ſuffer no Prejudice.

§ 3. There

§. 3. There ſhall alſo be an Amneſty on both ſides, and a perpetual Oblivion of all paſt Offences; ſo that whatſoever thing has hitherto been done or admitted in any Place whatſoever, or for what Cauſe ſoever, either within or without the *Roman* Empire, by either of the Partys, or by Perſons acting under their Government and Power, without any reſpect of Perſons and Things, ſhall on no pretext be aveng'd by courſe of Law or Violence, directly or indirectly by either Party. And neither upon thoſe nor any other Accounts or Pretences, ſhall the one ſecretly or openly hereafter commit or procure any Hoſtility or Enmity to be committed againſt the other's Miniſters, Officers, and other Inhabitants and Subjects, their Eſtates, Goods or Security, either by themſelves or others.

§ 4. Nor ſhall any of the Subjects or Vaſſals of either Party, of whatſoever Rank and Dignity, be injur'd or prejudic'd for having either adher'd to, or oppos'd the other in War or Peace; but whoſoever has loſt his Poſſeſſions merely by reaſon of this War, he ſhall without Delay and Contradiction be reſtor'd to the Condition he was in immediately before this War, with reſpect to his Honours, Lands and Moveables, if ſuch Moveables have not been already forfeited or otherwiſe alienated; and he ſhall poſſeſs and enjoy the ſame in full and ample manner. And for that cauſe the Eſtates which the Velt Marſhal Count *Coningſmark*, and the Heirs of the Velt Marſhal Count *Wittemberg*, enjoy'd before this War in any part of the Dominions of his Serene Electoral Highneſs, ſhall by virtue of this Pacification be reſtor'd to them in the condition they are in at preſent, and ſhall be held by them on the ſame Terms as they held and poſſeſs'd them before this War broke out.

XXV. And leſt on account of the Premiſes any Contention and Quarrel ſhou'd enſue, his Sacred Royal Majeſty of *Sweden* for himſelf and his Heirs and Succeſſors, the Kings and the Kingdom of *Sweden*, does by virtue of this Treaty of Peace, for ever and irrevocably renounce in the ſtrongeſt manner the Conventions made at *Coningsberg*, *Jan.* $\frac{7}{17}$ *Anno* 1656 at *Marienburg*, *June* $\frac{15}{25}$ the ſame Year, and at *Labaw* the $\frac{10}{20}$th of *November* the ſame Year, between the moſt Serene King of *Sweden* of glorious Memory lately deceas'd, and his Serene Electoral Highneſs, as alſo all other Conventions which were added to them,

or

or ſeparate from them, and concluded in any manner whatſoever, during the late War with *Poland*, and in conſideration thereof: And he pronounces all and ſingular the Contents of all and ſingular the Conditions, Clauſes and Articles void, and of no effect; and he does hereby, and by virtue of this Treaty, wholly and for ever deprive them of all their Force, Vigor and Effect; ſo that nothing can, or ought ever be alledg'd, pretended or demanded, in the name of the King, Kings, Heirs and Succeſſors, and Kingdom of *Sweden*, againſt his Serene Electoral Highneſs of *Brandenburg*, and his Heirs, Kindred, Succeſſors and Provinces whereſoever ſituate, and particularly in Ducal *Pruſſia*, and the States and Inhabitants thereof, or againſt his Sacred Royal Majeſty and his Succeſſors, the Kings and the Kingdom of *Poland*, by virtue of the abovemention'd Treatys and Conventions now and hereafter aboliſh'd, whether of the Succeſſion to *Pruſſia*, or of Union, or for any other Pretence or Cauſe whatſoever. Wherefore ſince the Originals of the ſaid Treatys and Conventions cannot be re-deliver'd, they are hereby, and ſhall for ever be accounted as re-deliver'd, cancell'd, and reduc'd to Aſhes. On the other hand, the moſt Serene Elector of *Brandenburg*, and Duke in *Pruſſia*, does hereby, and by virtue of this Treaty of Peace, proteſt in the ſtrongeſt manner, and irrevocably for himſelf, and his Heirs and Succeſſors, that neither they nor their Heirs and Succeſſors, will ever make any Demand upon his Sacred Royal Majeſty and the Kingdom of *Sweden*, by virtue of the aforeſaid Treatys and Conventions; but his Serene Electoral Highneſs does hereby, and by virtue of this Treaty, for himſelf, his Heirs and Succeſſors, renounce all the aforeſaid Treatys now aboliſh'd, and declares them all now and for ever as re-deliver'd, cancell'd and burnt, and pronounces them null and void, and does for ever deprive them of all manner of Force, Virtue and Effect.

XXVI. The moſt Serene Elector of *Brandenburg* ſhall reſtore all the Places which he has ſeiz'd and gariſon'd during this War in *Pomerania*, to his Sacred Royal Majeſty and the Kingdom of *Sweden*; and thoſe which he has gariſon'd in like manner in *Holſtein* and the Duchy of *Sleſwick*, to the moſt Noble Prince and Duke of *Holſtein Gottorp* (who ſhall be deem'd as included in this Peace with the Conſent of the Partys; provided nevertheleſs, that he take no Revenge according to the Regulation hereby

agreed on) with their reſpective Guns, and all kind of military Furniture and Proviſion, together with all the Moveables of every kind, alſo the Acts of Chancery, Records, and written Documents, as all thoſe things are there found at the time of taking Poſſeſſion or Surrender and not alienated; which Evacuation of the Places, *viz.* in *Pomerania*, *Wollin*, *Dam* and *Grieffenhagen* excepted, ſhall be perform'd within a Fortnight, computing from the Day of the exchange of the Ratifications, in which time *Elbing* ſhall alſo be reſtor'd; but *Wollin*, *Dam* and *Grieffenhagen*, as alſo the Places of *Holſtein* and the Duchy of *Sleſwick*, ſhall be evacuated within another Fortnight, to be computed from the Day of the aforeſaid Reſtitution, during which all the Soldiers ſhall be drawn out of the ſaid Gariſon-Towns, and all the Forces from the Provinces belonging to the moſt Serene King of *Sweden*, and the Duke Regent of *Holſtein* and *Sleſwick*, in ſuch proportion and manner as ſhall be agreed on between the Partys, and both their Generals and Lieutenant Generals, within the time preſcrib'd for exchanging the Ratifications. Provided nevertheleſs, that in reſtoring and evacuating of the ſaid Places, no Injury or Fraud be done to ſuch Towns as have been gariſon'd by the Elector's Forces, or have during this War been any ways under the Power and Obedience of his Serene Electoral Highneſs, or to any private Perſon, becauſe he has adher'd to his Serene Highneſs's Cauſe; nor ſhall they otherwiſe be prejudic'd in reſpect to their former Rights, Privileges, Goods, Fees and Libertys to them appertaining, without Exception or Reſervation.

XXVII. The Priſoners taken this War, of whatſoever Rank or Condition, ſhall be diſcharg'd freely, and without any Price or Ranſom reſtor'd to their former Liberty, unleſs it be otherwiſe agreed by them before the ſigning of this Treaty, within the ſpace of three Weeks from the Day of the Ratification; provided the Sums expended by the Officers for their Subſiſtence be paid, and the Debts diſcharg'd, which they contracted while they were Priſoners. Moreover, thoſe ſhall be reckon'd among the Priſoners, and diſcharg'd on both ſides, who were forc'd againſt their Wills to bear Arms for either Party.

XXVIII. The Debts whereſoever contracted, between the Subjects and Inhabitants of both Partys, as alſo by the Generals and Field-Officers, ſhall be faithfully paid on both

both ſides. And if any Bonds and Recognizances have been enter'd into on either ſide during this War, they are utterly made void, and declar'd to have no weight.

XXIX. The antient Commerce between the Subjects and Inhabitants of the Kingdom, Provinces, States, and Dominions of his Sacred Royal Majeſty of *Sweden*, and of his Serene Highneſs the Elector of *Brandenburg*, whether ſituate within or without the Limits of the Empire, ſhall be reſtor'd and preſerv'd hereafter in a flouriſhing Condition.

XXX. Whatever Goods happen to have been depoſited by the Subjects of his Serene Electoral Highneſs, or by the Inhabitants of his Dominions, in the Kingdom, Provinces, Territorys or Places of his Royal Majeſty of *Sweden*, occupy'd, and hitherto poſſeſs'd before or ſince this War, or which have been brought thither by any other manner whatſoever, the ſame ſhall be reſtor'd to their Owners, without any Delay or Subterfuge, unleſs they are already confiſcate.

XXXI. And whereas for the better Eſtabliſhment of this Peace, 'tis of very great Moment that there be a univerſal Accommodation, and that full Proviſion be made for the Security of Commerce, between all the Powers Confederates in this War, for that reaſon, altho the Controverſys that have ariſen between the moſt Serene King and Kingdom of *Sweden*, and the moſt Serene King of *Denmark*, cannot be conveniently decided here, and are in a fair way of being accommodated by a Negotiation in *Denmark*, 'tis nevertheleſs agreed, that the moſt Serene King of *Denmark* and *Norway*, and his Kingdoms and Territorys ſhall be comprehended in this Treaty, by the Peace concluded in *Denmark*, in ſuch manner that every thing which ſhall be concluded and eſtabliſh'd between the aforeſaid Kings of *Sweden* and *Denmark*, ſhall be conſtrued to appertain to this Peace, as much as if they were to be ſpecifically inſerted in this Inſtrument; ſaving in every Point the Treaty itſelf, concluded and to be concluded in *Denmark* between both the Kings and Kingdoms.

XXXII. § 1. All Acts of Hoſtility ſhall ceaſe between the contracting Partys, whether Principals or Confederates, and their Armys, *viz.* in *Pruſſia* both Royal and Ducal in 4 Days, in *Pomerania* and *Magdeburg* in 12 Days, in *Courland* and *Livonia* in 14 Days, and in *Holſtein* and

and the Duchy of *Sleſwick* in 20 Days, after the Day of concluding and ſigning of this Peace; and on the ſame Day in all the Places beforemention'd, all Traffick ſhall be carry'd on as formerly, and there ſhall be a free Intercourſe of Letters.

§ 2. The Generals of the Gariſon of *Elbing* in *Pruſſia*, and both the Imperial and Electoral Officers in *Pomerania*, after they have had Notice of this Ceſſation of Arms, ſhall be ſtrictly careful that till the final Accompliſhment of the Peace there may be no more Military Execution for the Subſiſtence of the Soldiery, nor that the Provinces which are haraſs'd with their Troops, be overcharg'd with raiſing more Proviſions than is juſt and neceſſary; for which end Commiſſioners ſhall be deputed by the Partys, who ſhall diligently take care that no Exorbitances be committed contrary to this Convention.

XXXIII. Laſtly, the Forces of all the Partys who have their Seats of War in the Empire, ſhall after the Reſtoration of the Places by all the contracting Partys, be diſmiſs'd and disbanded; provided nevertheleſs, that every Party may carry ſuch a number to their reſpective States, as each of them ſhall think neceſſary for his Security.

XXXIV. Theſe Articles ſhall be ratify'd by the moſt Serene King of *Poland*, and by the Republick of *Poland* and its Confederates on the one hand, and by the moſt Serene King of *Sweden* on the other hand, in manner and form as is hereafter agreed.

1. The Inſtrument of this Treaty ſhall be ſign'd and ſeal'd by the Lords Commiſſioners of both Partys, and alſo by his Excellency the Lord Ambaſſador Mediator, and then deliver'd to each other reſpectively and exchang'd.

2. The moſt Serene King of *Poland* ſhall, immediately after the ſigning and ſealing of the Lords the *Poliſh* Commiſſioners, confirm the ſaid Covenants by a Deed of Ratification, in the Form agreed on, and ſhall immediately give his Policy of Aſſurance, that his ſaid Royal Majeſty's plenary Ratification ſhall follow within the ſpace of three Months at fartheſt, to be reckon'd from the ſigning of this Inſtrument of Peace, with the intire Inſertion of the ſaid Treaty of Peace concluded, according to the Form agreed on between the Commiſſioners of both Partys.

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3. The moſt Serene King of *Sweden* ſhall by a ſolemn Inſtrument ratify theſe Articles in his own Name, and that of the Kingdom of *Sweden*, by the Subſcription of the moſt Serene Queen his Mother, and of the Lords Adminiſtrators of the Kingdom of *Sweden*, in the Form agreed on.

4. The Lords Ambaſſadors deputed from the Republick of *Poland*, by an Order of the States *Anno* 1659, ſhall in the name of the Republick approve of theſe Articles by their Hands and Seals, at the next Diet to be held within three Months.

5. The Inſtruments of Ratification, as well of his Sacred Royal Majeſty of *Poland*, as of the Deputys delegated by Order of the States, ſhall be inſerted at the next Diet in the Conſtitutions, and in the Volume of the *Poliſh* Laws.

6. Theſe ſolemn Inſtruments of Ratification, as well of both the moſt Serene Kings, as of the ſaid Deputys of the Republick, ſhall be receiv'd by his Excellency the Lord Mediator from the Commiſſioners of both Partys within three Months at fartheſt, to be reckon'd from the ſigning of this Inſtrument of Peace, on the Frontiers betwixt *Elbing* and *Marienburg*; and ſhall by the ſaid Ambaſſador then and there be exchang'd between the contracting Partys.

7. That his Sacred Imperial Majeſty, and the moſt Serene Elector of *Brandenburg*, ſhall likewiſe cauſe their Ratifications to be deliver'd at the ſame time and place.

8. That the ſaid Inſtruments of Ratifications by the moſt Serene Kings, and the Republick of *Poland* and its Confederates, ſhall be drawn up and reciprocally exchang'd according to the Form agreed on and preſcrib'd, with reſpect to the Titles and Sealing of them, and the other requiſites, without changing of one Word or Syllable.

XXXV. §. 1. To the end that this Peace may be the more firmly and ſecurely eſtabliſh'd, and not be violated in any degree, all the abovemention'd contracting Partys, whether Principals or Allies, promiſe that they will, and confeſs that they ought religiouſly and inviolably to obſerve this Tranſaction and Peace, and all its Articles, Heads and Clauſes: And to the end that it may not be broke hereafter, they oblige themſelves mutually in every reſpect to a general Guaranty and mutual Defence and

Recovery of what is wrongfully detain'd; engaging by these Presents in the strongest manner, that if it happens that any one or more of the Partys are attack'd by any of the others by Land or Sea contrary to this Peace, the Aggressor shall *ipso facto* be deem'd by all as an Infringer of the said Treaty, and be excluded from the Benefit of it; and all the other Partys which enter into this Peace shall, at the request of the Party injur'd, be oblig'd to assist him with their Arms in common, within the space of 2 Months at fartherst after they shall be so required, and to continue the War against the Aggressor, till Peace by common Consent of all the Partys be re-establish'd.

§ 2. But if it happen that any one or more of the Partys be grievously injur'd by any of the others, but not in a way of Hostility, it shall not therefore be lawful for the Party injur'd to have recourse immediately to Arms; but first of all an Attempt shall be made to accommodate such Controversys in a friendly way, in such manner that if the Party injur'd cannot immediately have a Meeting with the Offender, he shall give notice of it to the other contracting Partys, and in their Name a general Commission shall be appointed on the Confines of the Party injur'd, within the Space of 4 Months; during which the Business shall be discuss'd between the Commissioners deputed on both sides, and, if possible, shall within 4 other Months at fartherst be determin'd.

§ 3. But if he find the Offender refractory and averse to fair Means, then it shall be lawful for the Party injur'd, after he has made a legal Declaration of War, to prosecute his Right by the Law of Arms, and to make War as aforesaid upon the Offender.

§ 4. But if Disturbances are repell'd by Force and Opposition, only for the sake of defending the Borders, such Actions shall not be reckon'd a Breach of the Peace; and the Controversy concerning the Frontiers shall be determin'd without having recourse to Arms.

XXXVI. And whereas for the greater Security of this Peace the most Serene and most Potent King and Republick of *Poland*, and the most Serene and most Potent King of *Sweden*, and also the most Serene Elector of *Brandenburg*, requir'd that the most Serene and most Potent Prince and Lord *Lewis* XIV. the most Christian King of *France* and *Navarre*, by whose Assistance and Care the Treaty betwixt the said most Serene Kings and the most Serene Elector of

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Brandenburg was promoted, and by whoſe Mediation it was brought to the deſir'd Concluſion, ſhou'd be a Guarantee for their Execution and Obſervation of it; his moſt Chriſtian Majeſty, in compliance with their Requeſts and Wiſhes, and having the ſame Deſire to perpetuate this Peace as he had to procure it, does engage and promiſe for himſelf and his Succeſſors the Kings of *France*, by his Excellency the moſt noble Lord *Anthony de Lumbres*, his Ambaſſador fully intruſted and commiſſion'd to give Security for this Guaranty, that he will even with Arms, if amicable Methods do not prevail, challenge the Execution and perpetual Obſervation of theſe Articles from the Princes abovemention'd, in the beſt manner poſſible. And that if any one of the Powers included in this Guaranty ſhall break them, he will joyn his Arms and Forces with the Party injur'd, whenever he requires it. And that it may appear the more firm to all Mankind, the ſaid Lord Ambaſſador of *France* promiſes that he will produce his King's Ratification of this Guaranty at the ſame time as the Ratifications of the Peace ſhall be exchang'd. It ſhall alſo be free for all the contracting Partys to enter into the ſame Guaranty and Suretyſhip with the moſt Chriſtian King, and alſo to invite and nominate other Princes and Powers to the ſame kind of Office at the time of the Ratification.

XXXVII. If any Kings, Princes, Republicks and States, in Friendſhip with the contracting Powers, deſire to be included by any of them in this Treaty, they ſhall have Leave to be included; provided they declare themſelves in ſix Months time from the Date hereof, and that it be done by Conſent of all the Partys.

In Witneſs, and for the greater Confirmation of all and ſingular theſe Articles, the Ambaſſadors and Commiſſioners of all the Partys, together with his Excellency the moſt noble Lord Mediator, have ſign'd and ſeal'd the preſent Inſtrument of Peace; and the Ambaſſadors and Commiſſioners of the moſt Serene King and Kingdom of *Poland* have ſign'd and ſeal'd this Copy with their Hands and Seals. Done at *Oliva*, the 3d of *May*, 1660.

(L S.) *ANTHONY de LUMBRES.*
(L S.) *JOHN COUNT de LESZNO*, Palatine of *Poſen*, General of *Great Poland*, and Ambaſſador Plenipotentiary of the moſt Serene King and Kingdom of *Poland*.

(L. S.) *NICHOLAS PRAZMOWSKY*, Biſhop Elector of *Luceor* and *Breſten*, High Chancellor of the Kingdom of *Poland*, Ambaſſador Plenipotentiary.

(L. S.) *CHRISTOPHER PAC*, High Chancellor and Ambaſſador Plenipotentiary of the Great Duchy of *Lithuania*.

(L. S.) *JOHN ANDREAS MORSTIN*, Referendary of the Kingdom, Ambaſſador Plenipotentiary.

(L. S.) *ULADISLAUS REY*, Treaſurer of the Court and Kingdom, Ambaſſador Plenipotentiary.

(L. S.) *JOHN GNINSKI* Vice Chamberlain of *Pomerania*, and Ambaſſador Plenipotentiary of the moſt Serene King and the Kingdom of *Poland*.

THE DECLARATION of the Plenipotentiarys of Poland, *or a ſeparate Article Declaratory of the ſecond Article of the Treaty of Peace, concerning the Amneſty and Revival of the antient Privileges*; viz. *that it ſhall not prejudice the Right of the Elector of* Brandenburg, *and in particular the Surrender of* Elbing. Oliva, May 3, 1660.

WE *John Caſimir* by the Grace of God King of *Poland*, Great Duke of *Lithuania*, *Ruſſia*, *Pruſſia*, *Maſovia*, *Samogitia*, *Livonia*, *Smolensko*, *Czernichovia*, and Hereditary King of the *Swedes*, *Goths* and *Vandals*, do certify to all and every one whom it concerns, That whereas the moſt noble their Excellencys the Commiſſioners on the part of Us and the Republick, appointed to conclude a Treaty of perpetual Peace at *Oliva*, between Us and our Kingdom of *Poland*, and the Great Duchy of *Lithuania*, and our Confederates and Allies in the War, on the one part, and the moſt Serene King and Kingdom of *Sweden* on the other part, have with the moſt noble their Excellencys the Commiſſioners of the moſt Serene Elector of *Brandenburg*, concluded the following ſeparate Article, declaratory of the ſecond Article, concerning the Amneſty and Renewal of Privileges ſtipulated in the Treaty of Peace.

We the underwritten Ambaſſadors Plenipotentiary of his Sacred Royal Majeſty and the Republick of *Poland*, at the Treaty betwixt *Poland* and *Sweden*, make known to all and every one whom it doth or may in any reſpect concern: Foraſmuch as in the chief Inſtrument of the Peace ſign'd this day, wherein by the Articles of the Amneſty the Privileges both of Communitys and of private Perſons

Perſons are renew'd, there is only a general but no particular mention of the Acquiſitions made by the moſt Serene Elector of *Brandenburg*, both within and without Ducal *Pruſſia*, by virtue of Conventions enter'd into with his Sacred Royal Majeſty and the Republick, firſt at *Velaw*, and afterwards at *Bidgoſt*, and approv'd by the States of the Kingdom; and whereas in particular there is no mention of the Privileges of his Serene Electoral Highneſs as to the Independency of Ducal *Pruſſia*, nor of the Co-heirſhip to the Fee-farm of *Butow*, and the Diſtricts of *Leoburg* in the Palatinate of *Pomerania*, nor of the Competitorſhip to the City of *Elbing* and the Government of *Draheim*; leſt ſuch Omiſſion ſhou'd be made uſe of to the prejudice of the aforeſaid Rights of his Serene Electoral Highneſs, ſeveral methods were propos'd for the ſake of including them in the aforeſaid Article of Amneſty: but being by no means ſatisfactory to the Partys, it was at length agreed by the prudent Mediation and indefatigable Application of the moſt noble his Excellency the Lord Ambaſſador of the moſt Chriſtian King, for the ſake of haſtening the Peace, that thoſe ſame Rights appertaining to the moſt Serene Elector of *Brandenburg* ſhou'd be taken care of by a particular Article, which nevertheleſs ſhou'd be reputed as an Article inſerted in the Treaty of Peace, and be of the ſame Validity; which has alſo been done by the *Swediſh* Embaſſy, by the following Article of the ſame Tenor.

The *Swediſh* Embaſſy declares in the name of the moſt Serene King and Kingdom of *Sweden*, that thoſe things which are ſtipulated in the 2d Article of the Treaty of Peace concerning the Revival of certain Rights or Privileges, ſhall not affect the Dominions, States, Citys, Territorys and Places, which are poſſeſs'd by his Serene Electoral Highneſs, nor be taken in that ſenſe; nor ſhall the ſaid Article hinder the delivering up of *Elbing* into the Hands of his Serene Electoral Highneſs, to be poſſeſs'd by the Title which he is capable of making to it; ſaving the Privileges and Immunitys of the ſaid City both in Spiritual and Civil Affairs; and ſaving alſo the Right of the moſt Serene King and the Republick of *Poland* to retract any thing in the Dyet with reſpect to *Elbing*: which Article (as is ſaid above) ſhall be in conſtruction and reality, altogether as valid as if it was inſerted in the very Inſtrument of the Treaty with the other Articles.

And therefore we the underwritten Ambaſſadors, Commiſſioners veſted with the full Powers of his Sacred Royal Majeſty, and of the States of the Republick, do in their name declare and make known, in like manner by the preſent Article, which we deſire may be underſtood as if inſerted in, and to be of the ſame validity with the Treaty of Peace, that 'tis our meaning that the Article of General Amneſty contain'd in the Inſtrument of the Peace neither can nor ought by any means to derogate from, and prejudice the Rights of his Serene Electoral Highneſs, whether antient or newly acquired; and particularly the Surrender of the City of *Elbing* according to the Conventions made with his Serene Electoral Highneſs; and that the ſaid Conventions ſhall be preſerv'd and maintain'd ſecurely and intirely in all their Articles, Sections and Clauſes. In Witneſs whereof, we have ſign'd the preſent Declaration with our Hands, and thereto affix'd the Seals of our Familys, the 3d day of *May*, A. D. 1660, at the Abbey of *Oliva*.

George Lubomirsky, Chief Marſhal and General of the Armys of the Kingdom.

John Count de Leſzno, Palatine of *Poſen*, General of *Great Poland*.

Nicholas Prasmowsky, Biſhop of *Luceor* and *Breſten*, High Chancellor of the Kingdom.

Chriſtopher Pac, High Chancellor of the Great Duchy of *Lithuania*.

John Andreas Morſtyn, Referendary of the Kingdom.

Uladiſlaus Rey, Treaſurer of the Court.

John Gninski, Vice Chamberlain of *Pomerania*, and Governor of *Gneſna*.

We therefore, *John Caſimir*, by the Grace of God King of *Poland*, Great Duke of *Lithuania*, &c. &c. &c. do promiſe and engage in our Royal Name, and in the Name of our Heirs and Succeſſors, and of the Republick of *Poland*, to approve and ratify, as we do by theſe Preſents approve and ratify, the foregoing Article, and all and ſingular the Clauſes therein contain'd, in ſuch a ſenſe that it ſhall be deem'd and ought to be of the ſame Authority as the principal Inſtrument; nor will we ſuffer that it be in any manner violated by any State-Vaſſal, Officer, or Subject

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of the Republick: and we will take care that the Inſtruments of the Ratification of this Peace, as well our own, as thoſe of the Senators and the Equeſtrian Order delegated from us and the Republick of *Poland*, by a Law of the State ſhall be inſerted in the Conſtitutions, and the Volume of the Laws of this Republick, at the next General Dyet of the Kingdom. In Witneſs and Atteſtation whereof, we have ſign'd theſe Preſents with our own Hand, and commanded them to be confirm'd with the Seal of the Kingdom. Given at *Warſaw* in a ſolemn Dyet on the 26th of *June*, A. D. 1660.

The Guaranty of Lewis XIV. *King of* France, *relating to the foregoing ſeparate Declaratory Article. Given at* Fontainbleau, May 25, Anno 1664.

LEWIS, by the Grace of God King of *France* and *Navarre*, to all who ſhall ſee theſe Preſents, Greeting. After that by our Care and Interpoſition, the Treaty of Peace between our moſt dear and well-beloved Brother and Couſin the King of *Poland*, his Kingdom and the Great Duchy of *Lithuania*, and his Confederates, *viz.* our moſt dear and well-beloved Brother and Couſin the Marqueſs of *Brandenburg*, Prince and Elector of the Sacred *Roman* Empire, on the one part, and our moſt dear and well-beloved Brother, Couſin and Confederate the King of *Sweden*, his Kingdoms, States and Principalitys, on the other part, was concluded and ſign'd at *Oliva* the 3d Day of *May*, 1660, by their Ambaſſadors ſufficiently authoriz'd; and whereas for the greater Security of the Conditions thereof it was by the 36th Article of the ſaid Treaty promis'd and agreed, by our Truſty and well-beloved Counſellor the Lord *de Lumbres*, our Ambaſſador who was preſent, in our Name, by virtue of the full Powers which we veſted him with to perform the Mediation on our part, that we and our Succeſſors the Kings ſhou'd be Guarantees thereof, and that we ſhou'd exhibit the Ratifications of the ſaid Guaranty by the time agreed on, as is more at large ſet forth in the ſaid Treaty: And whereas beſides the ſaid Treaty, a ſeparate Article has been concluded and ratify'd declara-

tory of the 2d Article thereof, which treats of the Amneſty and the Revival of former Rights, in order for the entire Preſervation of the Rights appertaining to our Brother the Elector of *Brandenburg*, demanded by the Treaty of *Velaw* and *Bidgoſt*; which Article is to be reputed of the ſame Force as the ſaid Treaty, and as therein to be inſerted as follows.

N. B. *Here the Article itſelf is inſerted, as it is ſign'd by the* Poliſh *Ambaſſadors, together with the Declaration of the* Swediſh *Ambaſſadors.*

We, after Peruſal and Examination of the ſaid ſeparate Article, in our Council, have approv'd and ratify'd it as far as lies in our Power, together with the ſaid Treaty and Article of Guaranty, as we do approve and ratify the ſame by theſe Preſents, ſign'd with our own Hand: and we promiſe on the Faith and Word of a King, to defend and maintain, and ſtrictly to fulfil the ſame on our part againſt all Oppoſition, according to the Form and Tenor thereof. For ſuch is our Pleaſure. In Witneſs whereof we have commanded our Seal to be hereto affix'd. At *Fontainbleau*, *May* 26, 1664.

The Engagement of Frederick William, *Elector of* Brandenburg, *to the moſt Chriſtian King, concerning the aforeſaid Guaranty. Dated at* Coln *on the* Sprey, April 27, 1664.

WE *Frederick William*, &c. do by this publick Inſtrument make known, and teſtify to all whom it concerns, That altho his Royal Majeſty of *France* has given us his Guaranty concerning the ſeparate Declaratory Article of the ſecond Article of the Treaty of *Oliva*, nevertheleſs we promiſe as far as relates to the City of *Elbing*, that we will be contented with the Offices which his Majeſty is willing to perform for us with the King and Republick of *Poland*, and that we will not extend the ſaid Guaranty to any thing which relates to the City of *Elbing*. In Witneſs whereof we have ſign'd this Inſtrument with our own Hand, and caus'd it to be confirm'd with

our

our Electoral Seal. Done at our Palace at *Coln* on the *Sprey*, *April* 27, 1664.

The Engagement of the ſaid Elector, for admitting Philip William *Duke of* Newburg *into the Peace of* Oliva.

WE *FREDERICK WILLIAM*, &c. make known and teſtify to all and every one whom it doth or may concern, that his Royal Majeſty of *France* having earneſtly ſollicited us that his Highneſs the Prince, *Philip William* of *Newburgh*, Count Palatine of the *Rhine*, might be admitted into the Treaty of *Oliva* made in the Year 1660, and we, as far as the Affair concerns us, having nothing to object why we ſhou'd deny to receive him; we do therefore hereby, as far as we can anſwer it, and without prejudice to the reſt whom it doth concern, admit him, and declare him to be admitted into the Treaty of *Oliva*. In Witneſs whereof, *&c.*

An Agreement and Convention, for the Regulation and Speedy Dispatch of the Posts betwixt England *and the* United Provinces. *At* London, April 11, 1661.

Articles drawn up and agreed to between his Excellency Simon van Hoorn, *Ambassador of the High and Mighty Lords the States General of the* United Provinces *of the* Netherlands, *in the name and by order of the venerable Lords the Burgomasters and Counsellors of* Amsterdam, *and of* Henry Jacob vander Heyden *Post-Master of certain Towns in the* United Provinces, *on one part; and* Henry Bishop *Esq; Master of the General Posts of all* England, *and from thence to all other Kingdoms and Countrys, on the other part, in the tenth Year of the Reign of* Charles II. *King of* England, Scotland, *&c. Defender of the Faith.*

IT has been reciprocally promis'd and agreed betwixt the said *Simon van Hoorn*, in name and by order of the said Lords the Burgomasters and the Magistrates of *Amsterdam*, as also of the said *Henry Jacob vander Heyden*, and the said *Henry Bishop*, that a Way and a Method shou'd be concerted which might be more commodious and more expeditious than those hitherto made use of for the sending of Letters every Week precisely from *England* to the *United Provinces*, and from the *United Provinces* to *England*, in such manner that Letters should be brought every Week directly from *England* to some Harbour of the said *United Provinces*, and in like manner from the said *United Provinces* to *England*.

For this end the following Articles have been consider'd and agreed to between the Partys, *viz.*

The said *Henry Bishop* has agreed with and promis'd the said Lord *Simon van Hoorn*, as the Person vested with the

the full Powers of the ſaid Lords the Burgomaſters and the Magiſtracy of *Amſterdam*, and of *Henry Jacob vander Heyden*, that he will keep ready, and maintain at his own Expence a ſufficient number of Veſſels built in *England*, by which once a Week upon a certain day fix'd, *viz.* Saturday, Packets of Letters ſhall be brought from *England* to *Amſterdam*, and other Towns and Offices of the *United Provinces*; and that care ſhall be taken that the ſaid Packets of Letters ſhall be carry'd beyond Sea, with as much expedition as the Wind and Weather will permit, and that they ſhall be ſafely deliver'd at *Helvoetſluys*, *Fluſhing*, or ſome other Harbour which the contracting Partys ſhall agree on, unleſs hinder'd by ſome Misfortune that happens at Sea.

Alſo the ſaid *Henry Biſhop* ſhall ſo order it, that the Packets of Letters which ſhall be ſent from *Amſterdam* or any other place in the *United Provinces*, be taken in every *Saturday* at ſuch Ports, and that they be carry'd in like manner to the Ports of *England*, with as much expedition as the Wind and Weather will permit, and from thence forwarded to the Offices at *London*, for delivery to ſuch Perſons as they ſhall be directed to.

Moreover, the ſaid *Henry Biſhop* has agreed and promis'd the ſaid Lord *Simon van Hoorn*, in the Name and Character as above, and made the like Agreement with the ſaid *vander Heyden*, that he will keep an exact accompt of the Weight of all Packets of Letters that ſhall be ſent by the way of *Amſterdam* to *Hamburg* and *Dantzick*, or to any Part of *Italy* or the *North*; and that computing from the day when the ſaid Accompt ſhall commence, he will cauſe a Payment to be made every three Months to the Lords Burgomaſters and Magiſtrates of *Amſterdam* at the Rate of an *Engliſh* Shilling for every Ounce Weight of Letters that ſhall be ſent that way to *Hamburgh*, *Italy*, or the *Northern* Countrys.

The ſaid *Henry Biſhop* likewiſe promiſes the ſaid Lords the Burgomaſters and Magiſtrates of *Amſterdam*, to pay them 12 *d. Engliſh* for every Ounce Weight of Letters from *Italy*, that ſhall be ſent thro' the ſaid City of *Amſterdam* to *England*; and as to the Letters from *Hamburgh*, *Dantzick* and the *North*, which are directed for *England*, they ſhall pay the common Poſtage at *Amſterdam* as was formerly practis'd at *Antwerp*.

In consideration of which, the said *Henry Jacob vander Heyden* promises the said *Henry Bishop* (the said Lords Burgomasters and the Magistrates of *Amsterdam* engaging in like manner to perform this Contract, as far as concerns them) to pay or order to be paid the Sum of 500 *l. Sterling* every year for the Charge and Maintenance of the said Ships; which Sum, to be paid quarterly, *viz.* 125 *l.* every three Months, shall commence from the 25th of *December* next ensuing the Date and Subscription of this Contract. And if it happen that the said Sum of 500 *l.* or a part thereof be not paid to the said *Henry Bishop* in the manner aforesaid by the said *vander Heyden*, in that case the said Lords the Burgomasters engage themselves, and promise to pay it to the said *Bishop*, or his Order.

And the said Lords Burgomasters and Magistrates of *Amsterdam*, do further promise the said *Henry Bishop*, to establish and carry on a constant Post every Week for *Hamburgh* and *Dantzick*, and for all the trading Towns of *Germany*, the *North* and *Italy*; and also that the said Post shall make as much dispatch both forward and backward as ever any Post did or can do, in these Provinces; and that it shall keep a regular Time and Method both in setting out from *Amsterdam*, in arriving there, and in setting out from thence for *England*, and the like to all the other Towns of the *United Provinces*. Whereupon the said *Jacob vander Heyden* obliges himself, and promises to settle fit Persons in the Towns, and especially at the Ports, (which Places shall hereafter be nam'd by the Partys) there to wait for, and receive all Packets of Letters that shall be brought over by the Vessels of the said *Henry Bishop*, and to send them from one Town to another with all speed, and with the same expedition to bring Packets of Letters from those Towns to the Harbours, and to put them on board the Vessels of the said *Bishop*, which shall lie ready to receive them: the Lords Burgomasters and the Magistrates of *Amsterdam* promising also to cause the same to be executed accordingly, as far as it relates to them.

Moreover, the said *Henry Jacob vander Heyden* obliges himself (the Lords Burgomasters of *Amsterdam* promising it also on their part) that he will take care that the Salarys of the Clerks appointed, or to be appointed for that end in the several places, shall be paid punctually and with-

without delay; and that there ſhall be always at *Amſterdam* and the other Towns of the *United Provinces* a ſufficient number of Clerks capable to receive, diſtribute and ſend all the Packets that ſhall be receiv'd and ſent, to maintain a continual Correſpondence with the ſaid *Henry Biſhop*'s Poſt-maſters, and to keep exact Regiſters of all the Packets receiv'd or ſent, and of their Weight.

The Lords Burgomaſters and the Magiſtrates of *Amſterdam* do likewiſe promiſe the ſaid *Henry Biſhop*, to give Orders that the Poſtage of Letters from *England* to *Amſterdam* be ſo regulated, as not to exceed the rate that was paid for them, when they were brought by the way of *Antwerp*.

By means hereof, a firm and true Friendſhip will be eſtabliſh'd between the Partys with a ſincere Correſpondence, for the reciprocal Profit and Advantage of both Partys; and if any difference happen between them, relating to the performance and execution of the ſaid Articles and Conditions, they ſhall be referr'd to the Deciſion of ſome impartial Arbitrators, who ſhall be named on both ſides, and in whoſe Award both ſides ſhall acquieſce.

The Partys have alſo agreed, that if any Packets of the Merchants or other Parcels neceſſary to be communicated be put into their Hands, they ſhall be ſent on an extraordinary Day, without ſtaying for *Saturday*, which is the Day intended for the common Letters; but if for this reaſon the ſaid *Henry Biſhop* be oblig'd to keep a greater, or twice the Number of Veſſels, in ſuch caſe the ſaid *vander Heyden* ſhall take care, with the Aſſiſtance of the Lords the Burgomaſters and the Magiſtrates of *Amſterdam*, to pay or cauſe to be paid to the ſaid *Biſhop* at the end of every Quarter, the Sum of ſixty two Pounds *Sterling*, towards defraying the extraordinary Charge of the Veſſels. And to the end it may appear that the Partys are agreed in all the Articles above written, they have ſign'd them with their own Hands. Done at *London* the 11th of *April* 1661.

Sign'd,

SIMON VAN HOORN.

HENRY BISHOP.

And underneath,

We the underwritten are Witneſſes to this Inſtrument.

JOHN WIDMAN.

VAN HULST.

Agree-

Agreement concluded betwixt Charles II. *King of* Great Britain, *and* Frederick William *Elector of* Brandenburg, *for the Guardianſhip and Preſervation of the Perſon and Eſtates of the Prince of* Orange, *then a Minor, and of every thing to him belonging. Done the 17th of* May, 1661.

WHEREAS not long after the Deceaſe of the late moſt Serene *William* Prince of *Orange*, &c. *viz.* the 31ſt of *Auguſt* 1651, a certain Agreement was made between her Royal Highneſs the Princeſs *Mary*, Mother of the preſent Prince of *Orange*, his Serene Electoral Highneſs of *Brandenburg*, and her Highneſs the Princeſs Dowager of *Orange*, concerning the Guardianſhip of the Perſon and Eſtate of his Highneſs the Prince of *Orange*, &c. and what moreover thereto appertains: And whereas it hath ſince pleas'd God to take to himſelf the ſaid Royal Princeſs, who before her Death had intreated her Brother the King of *Great Britain* to be the Protector and Guardian of her ſaid Son the Prince of *Orange* and his Intereſts, of which (excluſive of his Majeſty's other Relations) he took a particular Care; it is therefore by theſe Preſents, for the greater Security of the Perſon and Eſtate of his Highneſs the Prince of *Orange*, and every thing thereon depending, mutually agreed between the King of *Great Britain*, the Elector of *Brandenburg*, and the Princeſs Dowager, as follows.

I. That for the future his Majeſty, his Serene Electoral Highneſs, and the Princeſs Dowager, ſhall be the Guardians of the ſaid Prince of *Orange*, and jointly and ſeparately do every

every thing incumbent on them for the ſaid Prince's Advancement and Intereſts.

II. That whereas his Majeſty, and his Serene Electoral Highneſs are always abſent, and the Princeſs Dowager almoſt continually preſent, and at hand to appear upon all Occaſions which may offer for the Service of the ſaid Prince: 'tis agreed, that her ſaid Highneſs the Princeſs Dowager ſhall be, as ſhe is by virtue of the preſent Act, authoris'd to repreſent the Perſons of his Majeſty and his Serene Electoral Highneſs; and that all Acts and Deeds relating to the ſaid Prince, ſhall be ſign'd and put in execution by the Princeſs Dowager only, but that they be always ſeal'd by the Prince's Seal, and counterſign'd by the Prince's Secretarys.

III. That it ſhall be only in the Power of her Highneſs to renew the Magiſtrates in thoſe Towns where his Highneſs the Prince has a Right to do it.

IV. That her Highneſs ſhall in like manner diſpoſe of the Offices and Benefices for his Highneſs's Service.

V. Except that, in order for conferring Offices of Conſequence, particularly that of *Droſſart*, when they become vacant in Places which were heretofore dependent on the Juriſdiction of the Princeſs Royal, the ſame ſhall be communicated to his Majeſty, to whom the Names of the Candidates ſhall be preſented, and by him approv'd, before any thing is determin'd or concluded thereupon.

VI. That in all Affairs of Importance, where there is no danger of Delay, they ſhall ſtay for the Opinion of his Majeſty, and of his Serene Electoral Highneſs, before they come to any Reſolution. That none of the Perſons order'd by her late Royal Highneſs to be about the Perſon of her Son, ſhall be turn'd out of Employment, but ſhall enjoy the ſame during Life, unleſs it be otherwiſe thought neceſſary for the welfare and advantage of the Prince, by the joint Opinion and Advice of the ſaid Guardians.

VII. That all Acts made and executed by her late Royal Highneſs, and which it was juſtifiable for her to do and execute, ſhall be confirm'd and acknowledg'd as good.

VIII. That to give the better Countenance to the Affairs of the Prince of *Orange*, and as a Token of the Affection of the Province of *Holland* to his Highneſs, his Majeſty, the Elector and the Princeſs Dowager, ſhall jointly deſire the Province of *Holland* that it wou'd be pleas'd to commiſſion ſome Deputys, and ſome of the Towns,

Towns, particularly *Haerlem*, *Leyden*, *Enckhuyſen*, and *Roterdam*, to hold a conſtant Aſſembly concerning the Affairs of the Prince of *Orange*, wherein the Princeſs Dowager may be preſent and give her Vote; and the other Provinces ſhall be required in like manner to appoint an Aſſembly, wherein the ſaid Princeſs may alſo aſſiſt, in order to conſult about the Affairs and Intereſts of the Prince.

IX. The Prince's Council and Chamber of Accompts, and alſo his other Officers and Miniſters, ſhall be regulated according to the Tenour of this Treaty.

In Witneſs whereof, the ſaid Commiſſioners have interchangeably ſet their Hands and Seals to theſe Preſents, the 17*th* of *May*, 1661.

Treaty of Alliance concluded between Charles II. *his Royal Majeſty of* Great Britain, *and* Charles XI. *his Royal Majeſty of* Sweden, *for the Confirmation of their Friendſhip, and for the mutual Security of their Dominions and Trade. Done at* Whitehall, *October* 21, 1661.

WE *Charles*, by the Grace of God King and Hereditary Prince of the *Swedes*, *Goths* and *Vandals*, Great Prince of *Finland*, Duke of *Schonen*, *Eſthonia*, *Livonia*, *Carelia*, *Bremen*, *Verden*, *Stetin*, *Pomerania*, *Caſſuben* and *Vandalia*, Prince of *Rugen*, Lord of *Ingria* and *Wiſmar*, alſo Count Palatine of the *Rhine*, *Bavaria*, *Juliers*, *Cleves* and *Bergen*, &c. deſire to make known to all, and ſingular the Perſons whom it doth, or whom it may, in any manner whatſoever concern: Whereas we lately ſent to *England* our Ambaſſador Extraordinary, as we did before him our Envoy Extraordinary, Plenipotentiarys, in order to renew the antient Friendſhip, and to

make a mutual League with the moſt Serene and moſt Potent Prince our deareſt Brother, Couſin, Friend and Ally, the Lord *Charles* the Second, by the Grace of God King of *Great Britain*, *France* and *Ireland*, Defender of the Faith, *&c.* And they having in like manner found a ſingular Inclination in the ſaid King to the common Union and ſtrict Amity of the two Kingdoms, it came to paſs that when Commiſſioners were appointed alſo on his part, and veſted with full Powers to conſolidate a Friendſhip and conclude a League, ſeveral Congreſſes and Debates were held at *London*; in which the Negotiation was ſo far promoted, that the following Treaty, and the Articles therein contained were agreed upon in due Form.

After it had ſeem'd good to the moſt Serene and moſt Potent Prince and Lord, *Charles* by the Grace of God King and Hereditary Prince of the *Swedes*, *Goths* and *Vandals*, Great Prince of *Finland*, Duke of *Schonen*, *Eſthonia*, *Livonia*, *Carelia*, *Bremen*, *Verden*, *Stetin*, *Pomerania*, *Caſſuben* and *Vandalia*, Prince of *Rugen*, Lord of *Ingria* and *Wiſmar*, alſo Count Palatine of the *Rhine*, Duke of *Bavaria*, *Juliers*, *Cleves* and *Bergen*, &c. to confirm and eſtabliſh the Exerciſe of that moſt ſtrict Amity and mutual Commerce which has continually exiſted for ſo many Ages between the famous Kingdoms of *Sweden* and *England*, with new Laws, eſpecially at this time when the moſt Serene and moſt Potent Prince and Lord, the Lord *Charles* the Second by the Grace of God, King of *Great Britain*, *France* and *Ireland*, Defender of the Faith, *&c.* was moſt happily reſtored to his Antient Kingdoms; and for that end, his aforeſaid Royal Majeſty of *Sweden* ſent his Excellency *Nicholas Brahe*, Senator of the Kingdom, Admiral and Counſellor of the College of Admiralty, Count in *Viſingburg*, Lord Baron *de Cajana*, Lord *de Ridoboholm* and *Scaſſnegen*, *&c.* as Ambaſſador Extraordinary to his Royal Majeſty of *Great Britain*, to the end that when he had perform'd the ſolemn Office of Congratulation, he might put the laſt Hand to the Treaty of mutual Friendſhip and Commerce, the Form and Tenor of which had been already ſettled between the moſt Noble *John Frederick de Friſendorf*, Lord in *Herdick* and *Kirup*, &c. Privy Counſellor of his *Swediſh* Majeſty, and formerly commiſſion'd to treat of this Affair in quality of Ambaſſador Extraordinary to his Sacred Royal Majeſty of *Great Britain*, and the Lords Commiſſioners particularly deputed to this purpoſe by

his Sacred Royal Majeſty of *Great Britain*. And whereas his Sacred Royal Majeſty of *Great Britain*, favouring the ſame Propenſion and Inclination, ſolemnly appointed the moſt Noble Lords of his Royal Majeſty's Privy Council, *viz.* *Thomas* Earl of *Southampton* Lord High Treaſurer of *England*, *John* Lord *Roberts* Lord Privy Seal, *Edward* Earl of *Mancheſter* Lord Chamberlain of the King's Houſhold, *George* Earl of *Norwich* Captain of the Royal Band of Penſioners, *Arthur* Earl of *Angleſey*, *Frederick* Lord *Cornwallis* Treaſurer of the King's Houſhold, *Anthony* Lord *Aſhley* Chancellor of the *Exchequer*, Sir *George Carteret* Baronet, Vice-Chamberlain of the King's Houſhold, Sir *Edward Nicholas* Knight, and Sir *William Morrice* Knight, two of his Majeſty's principal Secretarys of State, to treat of this Affair; the Ambaſſador and Envoy aforeſaid met them, and after divers Conſultations on both ſides, the following Articles were at length, by God's Bleſſing, clearly, perſpicuouſly and irrevocably agreed to on both ſides.

I. In the firſt place 'tis concluded and agreed, that hereafter there be and remain a good, ſincere, firm and perpetual Peace, Friendſhip, Good-Will and Correſpondence, ſo that both Partys may carry it to each other with the ſincereſt Love and Affection.

II. The ſaid Confederates and their Dominions, Subjects, People and Inhabitants, ſhall take care of and promote each other's Advantage; and ſhall alſo certify one another of any Dangers threaten'd, and Conſpiracys and Machinations form'd by the Enemys of either, and ſhall oppoſe and hinder them as far as lies in their Power. Nor ſhall it be lawful for either of the Confederates, by himſelf, or by any other Perſons whomſoever, to negotiate or attempt any thing to the Hurt or Diſadvantage of the other's Lands or Dominions whatſoever, any where either by Land or Sea; nor ſhall he by any means protect the Enemys or Rebels to the prejudice of the other Confederate, nor receive or admit into his Dominions any Rebel or Traitor, who ſhall make any attempt againſt the Eſtate of the other; much leſs ſhall he afford them any Advice, Aid or Countenance, or ſuffer any Advice, Aſſiſtance or Favour to be given them by his Subjects, People and Inhabitants.

III. The

III. The ſaid Kings and Kingdoms ſhall with all Candor and Diligence take all the care poſſible, that the Impediments which have hitherto interrupted the Freedom of Navigation and Commerce, not only between both Nations, but alſo thro'out the Dominions, Countrys, Seas and Rivers of both, with other People and Nations, be remov'd. And they ſhall ſincerely endeavour to aſſert, eſtabliſh, defend and promote the aforeſaid Freedom of Navigation and Commerce on both ſides, againſt all Diſturbers of it whomſoever, by the Methods agreed on in this Treaty, or by ſuch as may hereafter be agreed on; and ſhall not ſuffer any thing to be done or committed contrary to this Treaty, either by themſelves or by their Subjects and People.

IV. It ſhall be free for both of the ſaid Confederates, and their Inhabitants and Subjects, to enter by Land or Sea into the Kingdoms, Countrys, Provinces, Territorys, Iſlands, Citys, Villages, Towns wall'd or unwall'd, fortify'd or unfortify'd, Harbours, Dominions or Juriſdictions whatſoever, freely and ſecurely without any Licenſe or Safe Conduct, general or ſpecial; and there to paſs and repaſs, to reſide therein, or to travel thro' the ſame, and in the mean time to buy Proviſions and all Neceſſarys, and they ſhall be treated with all manner of Civility. It ſhall be lawful alſo for both of the Confederates and their Subjects, Citizens and Inhabitants, to trade, traffick, and exerciſe Commerce in all Places whereſoever Commerce has been at any time hitherto us'd, and in whatſoever Goods and Merchandize they pleaſe, provided they are not Contraband; and they ſhall have Leave to import and export them at diſcretion, the due Cuſtoms being always paid, and the Laws and Ordinances of both Kingdoms, whether relating to Merchandize or any other Right, always obſerv'd. Which things being preſuppoſed, the People, Subjects and Inhabitants of one of the Confederates ſhall have and hold in the Countrys, Lands, Dominions and Kingdoms of the other, ſuch full and ample Privileges, and as many Exemptions, Libertys and Immunitys, as any Foreigner whatſoever doth or ſhall enjoy in the ſaid Dominions and Kingdoms on both ſides.

V. Neither the Merchants, Captains of Ships, Maſters, Mariners or other Perſons whatſoever, nor the Ships or

any Goods and Merchandize of either of the Confederates, or his Subjects or Inhabitants, ſhall in any publick or private Name, by virtue of any general or ſpecial Edict, be ſeiz'd or laid under Embargo in any of the Countrys, Harbours, Roads, Shores or Dominions whatſoever of the other Confederate, for the publick Uſe, military Expeditions, or for any other Cauſe, much leſs for any one's private Uſe; nor be compell'd by any manner of Violence, nor in any wiſe moleſted or injur'd. Provided only that ſuch Embargoes as are agreeable to Law and Equity be not prohibited, if they are made according to the ordinary Forms of Law, not for the ſake of indulging any one's private Reſentment, and are indiſpenſably neceſſary for the Adminiſtration of Right and Juſtice.

VI. But if one or more Ships of either of the Confederates, whether Ships of War or private Merchantmen, are drove by Storms, Pirates, Enemys, or other urgent Neceſſity, into the Harbours, Havens, or upon any of the Coaſts whatſoever of the other Confederate, they ſhall be receiv'd courteouſly and with all Civility, and enjoy friendly Protection without being in any reſpect hinder'd from the means of refitting entirely, and from purchaſing whatever they want for their Proviſion, Repair and Conveniency, at the Market-price. Nor ſhall they on any account be prohibited to depart in like manner from ſuch Port and Haven when they pleaſe, without paying the Dutys and Cuſtoms; ſo long as nothing be done or committed contrary to the Statutes and Ordonnances of the Place to which the ſaid Ships ſhall be carry'd, or where they ſhall ſtay.

VII. For the like reaſon, if any one or more Ships, publick or private, of either of the Confederates, or his Subjects and Inhabitants, have run aſhore, been caſt away, or (which God forbid) ſuffer'd any Wreck, or Loſs whatſoever, or ſhall ſuffer any hereafter, the Sufferers ſhall be kindly and friendly reliev'd, and have ſuch Aſſiſtance for a proper Premium, that whatſoever remains of the Wreck may be preſerv'd and reſtor'd to the Owners and Proprietors; provided they or their Attorneys or Proctors lay claim to the ſaid Ships and Goods within twelve Months after the Wreck happen'd; ſaving always the Laws and Cuſtoms of both Nations.

VIII. That if the Subjects and Inhabitants of either of the Confederates, whether they be Merchants with their Factors, Servants, Captains and Maſters of Ships, Mariners, or whether they are Travellers or Reſidents in the Dominions of the other Confederate, or Agents in their Name in any Court of Juſtice, either for the recovery of their Debts, or other lawful Reaſons, if they want the Aſſiſtance of the Magiſtrates they ſhall have it with ſpeed, and according to the Equity of the Cauſe, and Juſtice ſhall be adminiſter'd without tedious and unneceſſary Delays. They ſhall in no ſort, nor under any pretence be hinder'd, but find all the moſt friendly Offices in the diſpatch of their Affairs, in the Purchaſe and Sale of Goods, in the Payments to be made for them, and in performing their Journeys. It ſhall alſo be free for them on both ſides, as they paſs and repaſs on the Shores, or to and from the Ships, Harbours and publick Places of either Confederate, to carry Arms in their own Defence; provided they don't give the Governours and Magiſtrates of any Place whatſoever, any juſt Suſpicion that they are in a Plot againſt the Peace of the Publick, or of private Perſons. And whoſoever behaves modeſtly ſhall in a ſpecial manner be protected from all Injury, Violence and Trouble.

IX. It ſhall be lawful for the ſaid Confederates, and the People and Subjects of both, to buy and export out of the reſpective Countrys, Dominions and Kingdoms of either, all manner of Arms and military Equipage, and ſafely and freely to carry their Ships to any Ports, Havens and Shores of either, there to ſtay, and thence to depart; provided they behave modeſtly, peaceably and agreeably to the Laws and Cuſtoms of each Place, and do not in any reſpect hinder the Freedom of Commerce. In like manner, Men of War and Guardſhips ſhall have free Acceſs to the Ports, Havens or Rivers of the other Confederate; and it ſhall be free for them there to caſt Anchor, ſtay, and to depart from thence without any Injury or Moleſtation, provided theſe Conditions are obſerv'd.

1. That the Squadron to be carry'd into the Harbours of the Confederate, ſhall not exceed the number of five or ſix Ships, without giving notice thereof beforehand.

2. That the Commander of the Squadron, and Ships, ſhall without delay exhibit his Letters of Safe Conduct to the Governor or Magiſtrate of the Caſtle, Fort,

City or Province whereſoever they arrive, and give notice of the Reaſons of his coming, and for what end, and how long he deſigns to ſtay in that Port or Haven.

3. That ſuch Ships ſhall not come or ſtay nearer to thoſe Forts than is convenient.

4. That the Mariners, Ships Companys and Soldiers ſhall not go aſhore in Bodys above 40 at a time, nor in any number that may give Suſpicion.

5. That while they are there, they ſhall not do any Damage to any Perſon, not even to their Enemys; and above all, ſhall not ſtop or obſtruct the paſſage of any Merchant Ships whatſoever into or out of the Harbour.

6. That they ſhall not go out of the Haven for the ſake of infeſting the Navigation of any Nation whatſoever.

7. That they ſhall in all reſpects live and behave modeſtly, and conformably to the Laws and Cuſtoms of every Place, and have ſpecial regard to the reciprocal Friendſhip between the Confederates. If either of the Confederates ſhall think it advantageous, or neceſſary, to enter the Ports of the other Confederate with a greater number of Ships, and to enjoy the Conveniencys thereof, he ſhall ſignify the ſame to his Confederate two Months beforehand, during which time, the ways and means of admitting the ſame ſhall be ſettled; but if the Ships of either are drove into the Ports of the other, for avoiding Tempeſts or Enemys, in ſuch caſe the reaſon of their coming ſhall be notify'd to the Governor or chief Magiſtrate of the Place, nor ſhall they ſtay there longer than the Time granted by the Governor or chief Magiſtrate; a Regard being always had to the Laws and Conditions aforeſaid in this Article.

X. It ſhall be lawful for any of the Subjects and Inhabitants of *Sweden* whatſoever, to travel in *England* and all the Dominions thereof, and to paſs thro' the ſame by Land or Sea at pleaſure, to any other Nations whatſoever, and to renew Commerce with them, and freely to traffick in all kinds of Merchandize, and the ſame to carry thither and export from thence; and the Subjects of the King of *Great Britain* ſhall enjoy the ſame Libertys in the Kingdoms, Dominions and Territorys of the King of *Sweden*, on condition that the Laws, Ordonnances and peculiar Preroga-

Prerogatives of every Nation relating to Commerce and Merchandize be obſerv'd on both ſides.

XI. Altho the foregoing Articles of this Treaty, and the Laws of Friendſhip do forbid, that either of the Confederates ſhall give Aid and Supplys to the Enemys of the other, yet it is by no means to be underſtood that that Confederate, with his Subjects and Inhabitants, who is not a Party in War, ſhall be deny'd the Liberty of Trade and Navigation with the Enemys of that Confederate who is involv'd in ſuch War; provided only that no Goods call'd Contraband, and eſpecially Money, no Proviſions, nor Arms, nor Bombs with their Fuſees and other Appurtenances, no Fire-Balls, Gun-Powder, Matches, Cannon-Ball, Spears, Swords, Lances, Pikes, Halberts, Guns, Mortars, Petards, Grenadoes, Musket-Reſts, Bandaliers, Salt-petre, Muskets, Musket-Bullets, Helmets, Head-pieces, Breaſt-plates, Coats of Mail, commonly call'd Cuiraſſes, and the like kind of Arms, nor Soldiers Horſes with their Furniture, nor Piſtols, Belts, or any other Inſtruments of War, nor Ships of War and Guard-ſhips, be carry'd to the Enemys of the other Confederate, on the penalty of being made Prize without Hopes of Redemption, if they are ſeiz'd by the other Confederate. Nor ſhall either of the Confederates permit that the Rebels or Enemys of the other be aſſiſted by the Endeavors of any of his Subjects, or that their Ships be ſold, lent, or in any manner made uſe of by the Enemys or Rebels of either, to his Diſadvantage or Detriment. But it ſhall be lawful for either of the Confederates, and his People or Subjects, to trade with the Enemys of the other, and to carry them any Merchandize whatſoever (excepting what is above excepted) without any Impediment; provided they are not carry'd to thoſe Ports or Places which are beſieg'd by the other, in which caſe they ſhall have free Leave either to ſell their Goods to the Beſiegers, or to repair with them to any other Port which is not beſieg'd.

XII. For the evading of all Sulpicion and Colluſion, leſt the Free Navigation or Intercourſe of one of the Confederates and his Subjects and Inhabitants by Land or Sea, with other Nations, while the other Confederate is at War, ſhou'd be carry'd on to the prejudice of the other Confederate, and leſt the Enemys Goods and Merchandize ſhou'd be conceal'd under the Diſguiſe of the Goods of Friends, it is ſtipulated that all Ships, Carriages,

Wares and Men belonging to the other of the Confederates, ſhall be furniſh'd in their Journeys and Voyages with Safe Conducts, commonly call'd Paſſports and Certificates, ſuch as are underwritten, *verbatim*, ſign'd and ſubſcrib'd by the chief Magiſtrate of that Province and City, or by the chief Commiſſioners of the Cuſtoms and Tolls, and ſpecifying the true Names of the Ships, Carriages, Goods and Maſters of the Veſſels, as alſo the exact Dates, together with other Deſcriptions of that ſort, as are expreſs'd in the following Form of a Safe Conduct and Certificate. Wherefore if any Perſon ſhall affirm, upon the Oath by which he is bound to the King, State or City, that he has given in true Accounts, and be convicted on ſufficient Proof that any Fraud has been conceal'd under his Affirmation by his Conſent, he ſhall be ſeverely puniſh'd as a Tranſgreſſor of the ſaid Oath.

We *N. N.* Governor or Chief Magiſtrate, or the Commiſſioners of the Dutys and Cuſtoms of the City or Province of *N.* [the Title or Office of the reſpective Government of that Place being added] do make known and certify, that on the Day of the Month of in the Year of *N. N. N.* Citizens and Inhabitants of *N.* and Subjects of his Sacred Royal Majeſty of *Sweden*, or of his Sacred Royal Majeſty of *Great Britain*, perſonally appear'd before us in the City or Town of *N.* in the Dominions of his Sacred Royal Majeſty of *Sweden*, or of his Sacred Royal Majeſty of *Great Britain*, [as the Caſe ſhall happen] and declar'd to us upon the Oath by which they are related and bound to our moſt Gracious Sovereign, his Sacred Royal Majeſty of *Sweden* and to our City, or to his Sacred Royal Majeſty of *Great Britain* and to our City, that the Ship or Veſſel call'd *N.* of about Laſts or Tuns, belongs to the Port, City or Town of *N.* in the Dominions of *N.* and that the ſaid Ship does rightfully belong to him or other Subjects of his Sacred Royal Majeſty of *Sweden*, or his Sacred Royal Majeſty of *Great Britain*, that ſhe is bound directly from the Port of *N.* to the Port of *N.* laden with the following Merchandize, *viz.* [here ſhall be ſpecify'd the Goods with their quantity and quality; for example, about ſo many Cheſts or Bales, about ſo many Hogſheads, *&c.* according to the quantity and condition of the Goods] and affirm'd on the Oath aforeſaid, that the ſaid Goods and Merchandize

dize belong only to the Subjects of his Sacred Royal Majeſty of *Sweden*, or of his Sacred Royal Majeſty of *Great Britain*; [or expreſſing whatever other Nation they are Subjects of] and that *N. N. N.* declar'd upon their ſaid Oath, that the ſaid Goods above ſpecify'd, and no others, are already put on board, or are to be put on board the abovenam'd Ship for the ſaid Voyage, and that no part of thoſe Goods belongs to any other Perſon whatſoever but thoſe abovemention'd; and that no Goods are diſguis'd or conceal'd therein by any fictitious Name whatſoever, but that the Wares abovemention'd are truly and really put on board for the uſe of the ſaid Owners, and no others, and that the Captain of the ſaid Ship nam'd *N.* is a Citizen of the City of *N.* Therefore, whereas after ſtrict Examination by us (the Governor or chief Magiſtrate or Commiſſioners of the Dutys and Cuſtoms of the City aforeſaid) it fully appears that the ſaid Ship or Veſſel, and the Goods on board the ſame are free, and do truly and really belong to the Subjects of his Sacred Royal Majeſty of *Sweden*, or of his Sacred Royal Majeſty of *Great Britain*, or to the Inhabitants of other Nations as aforeſaid, we do moſt humbly and earneſtly require it of all and ſingular the Powers by Land and Sea, Kings, Princes, Republicks and Free Citys, alſo of the Generals of Armys, Admirals, Commanders, Officers and Governors of Ports, and all others to whom the Cuſtody of any Harbour or Sea is committed, which happen to meet this Ship in her Voyage, or if ſhe chance to fall in, among, or paſs thro' their Squadrons, or to ſtay in their Harbours, that for the ſake of the Treatys and Friendſhip which ſubſiſt reſpectively between them, or whoever are his Superiors, and his Sacred Royal Majeſty our moſt Gracious Sovereign the King of *Sweden*, or his Sacred Royal Majeſty our moſt Gracious Sovereign the King of *Great Britain*, that they will not only permit the ſaid Captain with the Ship *N.* and the Men, Goods and Merchandize to her belonging, to proſecute her Voyage freely without Lett and Moleſtation, but alſo if he think fit to depart out of the ſaid Harbour elſewhere, that they will ſhew all kind Offices to him, and his Ship, as a Subject of his Sacred Royal Majeſty of *Sweden*, or of his Sacred Royal Majeſty of *Great Britain*, as they ſhall in like manner experience the ſame from his Sacred Royal Majeſty of *Sweden*, or from his Sacred Royal Majeſty of *Great Britain*, and from all his Miniſters

ſters and Subjects in the like, or any other caſe. In Witneſs whereof we have taken care that theſe Preſents, ſign'd by our own Hands, be ſeal'd with the Seal of our City. Given, *&c.*

Therefore when the Merchandize, Goods, Ships, or Men, of either of the Confederates and his Subjects and Inhabitants, ſhall meet, or be met in the open Sea, in Harbours, Havens, Countrys, or other Places whatſoever, by Men of War or Privateers, or by the Subjects and Inhabitants of the other Confederate, after producing only their Safe Conducts and Certificates aforeſaid, nothing farther ſhall be demanded of them, no Inquiry whatſoever ſhall be made into the Goods, Ships or Men, much leſs ſhall they be injur'd, damag'd or moleſted, but ſhall be freely let go to proſecute their Voyage and Purpoſe. But if this ſolemn and ſtated Form of the Certificate be not produced, or there be any other juſt and urgent cauſe of Suſpicion, why this Ship ought to be ſearch'd, which ſhall only be deem'd juſtifiable in this caſe, and not otherwiſe, then if the Goods of the Enemy are found in the Ships of the Confederate, that part only which belongs to the Enemy ſhall be made Prize, and the other which belongs to the Confederate ſhall be immediately reſtor'd. The ſame thing ſhall alſo be obſerv'd, if the Goods of the other Confederate are found on board a Ship of the Enemy. If any thing be done by either Party contrary to the genuine meaning of this Article, both of the Confederates ſhall take care that the ſevereſt Puniſhment, due to the moſt heinous Crimes, be inflicted on ſuch of his Subjects and Inhabitants as are the Offenders, for their Contempt and Tranſgreſſion of the Royal Commands; and that plenary and immediate Satisfaction be made to the injur'd Confederate for all Loſs and Expences, of which the moſt ſummary Proof ſhall be admitted by the other Confederate, or his Subjects and Inhabitants, without the intricate Quirks of the Law.

XIII. Neither of theſe Confederates ſhall ſuffer the Ships, Veſſels, Goods or Merchandize of the other, or of his People or Subjects, which are taken at Sea or elſewhere, by Enemys or Rebels, to be brought into his Ports and Dominions, but ſhall publickly forbid any thing of that kind to be done. And if any Ships, Veſſels, Goods and Merchandize of either, or his People or Subjects taken at Sea, or elſewhere, ſhall be carry'd into the Ports or Countrys of the other by any Enemy or Rebel of the

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Confederates, or either of them, ſuch Confederate ſhall not ſuffer the ſame or any part thereof to be ſold in that Port, or any other place in their Dominion; but ſhall take care that the Maſter of the Ship, or Veſſel, ſo taken, as alſo the Mariners and Paſſengers, ſhall, as ſoon as they arrive, be immediately ſet at Liberty, together with as many of the Priſoners, Subjects of either Kingdom, as ſhall be brought thither; nor ſhall he permit the ſaid Ship and Veſſel to ſtay in that Harbour, but ſhall command the ſaid Ship with her Goods, Merchandize and Lading, immediately to leave the Port. Provided nevertheleſs, that nothing in this Article be turn'd to the prejudice of the Alliances formerly enter'd into by either of the Confederates with other Nations; and where theſe things don't interfere, the above Article ſhall remain in full Force.

XIV. If it ſhall alſo happen hereafter, while this Friendſhip and Alliance ſubſiſts, that any of the People and Subjects of either of the Confederates, does or endeavours any thing contrary to this Treaty, or any part thereof, by Land, Sea, or in any Waters, this Friendſhip, Treaty and Covenant between the ſaid Confederates, ſhall not on that account be interrupted or diſſolv'd, but ſhall nevertheleſs continue and remain entire. And thoſe private Perſons only ſhall ſuffer Puniſhment who ſhall violate this Treaty; and they who receive Injury, ſhall have Right and Juſtice adminiſter'd, and Satisfaction made to them for all their Loſs and Injury within twelve Months after the Demand of ſuch Reſtitution. But if ſuch Delinquents and Perſons, guilty of the Violence committed, ſhall refuſe to appear and ſubmit to Juſtice, or to make Satisfaction within the Term aforeſaid, whoever they are, they ſhall be renounc'd as Enemys of both States, and their Subſtance, Goods and Poſſeſſions, what and how great ſoever they are, ſhall be forfeited and expos'd to Sale, towards making full and juſt Satisfaction for the Injurys which they have committed; and the Offenders themſelves, when they come into the Juriſdiction of either State, ſhall moreover ſuffer condign Puniſhment according to the nature of the Crime.

XV. The preſent Treaty and Confederacy ſhall derogate nothing from any Preheminence, Law and Dominion whatſoever of either of the Confederates, in any of their Seas, Friths and Waters whatſoever, but they ſhall have

have and hold the ſame in as ample manner as they have hitherto enjoy'd them, and as to them of Right appertains.

XVI. Whereas therefore 'tis the principal End of this Treaty, that ſuch a Freedom of Navigation and Commerce as is deſcrib'd in the foregoing Articles may be and remain on both ſides, to both the Confederates, their Subjects and Inhabitants in the *Baltick*, the *Sound*, the *Northern*, *Weſtern*, *Britiſh* and *Mediterranean* Seas, and the *Channel*, and all the other Seas of *Europe*, both Sides ſhall ſincerely contribute their joint Advice, Aid and Aſſiſtance, that the ſaid mutual Freedom of Navigation and Commerce may be eſtabliſh'd and promoted in all the ſaid Seas and Friths, and (if there be occaſion) that it be defended againſt all Diſturbers who ſhall offer to interrupt, prohibit, hinder or conſtrain it for their own Pleaſure, and for the ſake of injuring the Confederates: And both of the ſaid Confederates ſhall in the moſt courteous manner, ſhew their Good-will and Readineſs for promoting the Advantages, and leſſening the Inconveniencys of the other Confederate; ſaving nevertheleſs thoſe Treatys heretofore enter'd into by both Nations with other Kingdoms, Republicks and States, which ſhall ſubſiſt in full force. But hereafter neither of the Confederates ſhall by any means enter into a Treaty, or make any Contract with other foreign Nations and People whatſoever, to the prejudice of the preſent Treaty in any reſpect, without the previous Knowledge and Conſent of the other Confederate: and if any thing be otherwiſe ſtipulated hereafter with others, it ſhall be reckon'd null and void, and altogether give place to this mutual Convention.

XVII. And theſe things which we have agreed to in the foregoing Articles, ſhall immediately from this Inſtant be in full Force, and ſincerely and duly obſerv'd by both Partys, and by all Perſons who are engag'd to either by Obedience, Duty and Allegiance. And to the end that the ſaid Articles may be and remain the more ſtable and firm hereafter, they ſhall within the ſpace of ſix Months be ſign'd, ſeal'd and ratify'd by the Hands and Seals of our moſt Gracious Sovereign his Sacred Royal Majeſty of *Sweden*, and his Sacred Royal Majeſty of *Great Britain*.

In Witneſs and Confirmation of all and ſingular the Premiſes, the preſent Treaty has been ſign'd and ſeal'd with

with the Hands and Seals of the Ambaſſador Extraordinary of his Sacred Royal Majeſty of *Sweden*, and alſo of his Envoy. Done at *Whitehall*, the 21ſt day of *October*, 1661.

NICHOLAS BRAHE, (L. S.)
J. F. a FRISENDORFF, (L. S.)

WE therefore *Charles* by the Grace of God King and Hereditary Prince of the *Swedes*, *Goths* and *Vandals*, Great Prince of *Finland*, &c. have commended, approv'd and ratify'd, as we do by theſe Preſents commend, approve and ratify in the beſt manner, the Articles above expreſs'd and inſerted in the Inſtrument of the Treaty, as made in purſuance of our Commands; promiſing on our Royal Word, and in the name of ourſelves and the Kings our Succeſſors, and of our Kingdom, that we will inviolably, and *bonâ fide* obſerve and perform them, and that we will not ſuffer them to be violated in any meaſure, by our own Subjects or others whomſoever. In Witneſs whereof, we have commanded theſe Preſents, ſign'd by our moſt Honoured and moſt Dear Mother, and by our other Guardians and Adminiſtrators reſpectively, to be ſeal'd with our Great Seal. Done at *Stockholm*, Anno 1661.

HEDGWIG ELEONORA. (L. S.)
PETER BRAHE, Count in *Viſingburg*, Droſſart of the Kingdom of *Sweden*.
MAGNUS GABRIEL DE LA GARDIE, Chancellor of the Kingdom.
GUSTAVUS BANERIUS, Deputy Marſhal of the Kingdom.
CLAUDIUS BIELKENSTIERNA, Vice Admiral of the Kingdom.
GUSTAVUS BONDT, Treaſurer of the Kingdom.

Treaty of Alliance between Charles II. *King of* England, *and* Frederick III. *King of* Denmark. *It has no Date, but is plac'd in the Year* 1661 *by* Aitzema, *in the* 10*th Tome of his Collection intitled* Affaires d'Etat & de Guerre; *where he ſays that the* Daniſh *Secretary left this Treaty behind him without either Date or Subſcription, as he travell'd thro'* Holland.

FOraſmuch as the moſt Serene and moſt Potent Prince and Lord *Frederick* III. by the Grace of God King of *Denmark*, *Norway*, *&c.* ſent the moſt noble Lord *Frederick ab Ahleſelt*, the ſaid King's Privy Counſellor, Deputy Vicar of the Duchys of *Sleſwic* and *Holſtein*, Governor in *Langelandt*, and Lord in *Segarden*, *Gangriff*, and *Arop*, into *England* as his Ambaſſador Extraordinary; not only heartily to congratulate his Majeſty the moſt Serene Prince and Lord *Charles* II. by the Grace of God King of *England*, *Scotland*, *France* and *Ireland*, Defender of the Faith, his moſt dear Brother, Couſin and Friend, on his auſpicious and moſt glorious Return to his native Kingdoms, but alſo to bind the inviolable Friendſhip between the two moſt Serene Kings, and to renew the antient Treatys of Amity, by new and ſtricter Bands. And whereas the moſt Serene and moſt Potent King of *Great Britain*, having a View to manifeſt his ſingular Friendſhip and Affection to the Perſon and Kingdoms of the moſt Serene King of *Denmark*, as well as his Deſire and Intention to aſſert the Rights of the Crown of *Denmark*

mark and *Norway* with his Royal Power againſt all Perſons whomſoever, and conſidering that he had always cultivated a Friendſhip with the ſaid moſt Serene King of *Denmark* and his moſt dear Ally, deriv'd to him from his Anceſtors, and ſtrengthen'd by the Ties of Conſanguinity and reciprocal Obligations, as well as of their common Intereſts, and deſires that the ſame may be made ſacred and perpetual, for the mutual Advantage and Security of the People of both Kingdoms: For that end the moſt Serene and moſt Potent King of *Great Britain*, by his ſpecial Mandate and full Power, nominated and appointed the moſt noble and honourable Gentlemen following, who are of his Privy Council, *viz.* *Thomas* Earl of *Southampton* Lord High Treaſurer of *England*, *Henry* Marquiſs of *Dorcheſter*, *James* Marquiſs of *Ormond* Lord Steward of the King's Houſhold, *Mountague* Earl of *Lindſey* Lord Great Chamberlain of *England*, *George* Earl of *Norwich*, *Henry* Earl of *Saint Albans*, *Thomas* Baron of *Wentworth*, Sir *Frederick Cornwallis* Knight and Baronet, Vice-Chamberlain of the Houſhold, Sir *Edward Nicholas*, and Sir *William Morrice*, his Majeſty's two principal Secretarys of State, to treat and conclude as follows.

I. 'Tis agreed and concluded, that there ſhall be a ſincere, true and hearty Friendſhip, Peace and Confederacy between the two Kings, their Heirs and Succeſſors, and their Kingdoms, Provinces and Principalitys, Subjects and Vaſſals, of all Ranks, Degrees and Conditions, both now and for ever hereafter; as well by Land, as by Sea or Rivers, freſh Waters, and every where elſe.

II. That if either of the ſaid Kings, their Heirs and Succeſſors, ſhall happen to know that any thing is done, ſollicited or treated of, which may tend to the Damage of the other, he ſhall be oblig'd as ſoon as ever it comes to his Knowledge to diſcover it to the other; and, as far as lies in his power, to hinder it.

III. The ſaid Kings promiſe religiouſly for themſelves, their Heirs and Succeſſors reſpectively, that they will never furniſh the Enemys of either with any military Supply, nor permit their Subjects, of whatſoever Rank and Condition they are, to give any Aſſiſtance to the Enemys of the ſaid Princes, or either of them, under the pretence of Commerce, or any other Plea whatſoever, to furniſh them with

with Men, Money, Proviſions, Arms, Machines, Guns, Ships, and other Neceſſarys for making War, or cauſe them to be furniſh'd by others; and if any of the Subjects of the ſaid Kings preſume to contravene theſe Articles, then either of the Kings, whoſe Subjects they are, ſhall be oblig'd to puniſh them very ſeverely, as Breakers of the Peace, and ſeditious Perſons.

IV. Whereas the King of *Great Britain* is affected with a grateful remembrance of that extraordinary Friendſhip which the King of *Denmark* ſhew'd to him in his Adverſity, and how many Evils both his Majeſty and his Kingdoms ſuffer'd on that account, the King of *Great Britain* therefore promiſeth and hereby declares, that he will not only always inviolably obſerve the Treaty and ſincere Friendſhip with the King of *Denmark*, &c. and include him in all Treatys which he enters into hereafter with any Prince or State whatſoever, but alſo oblige all that he can, to perform all the Offices of Friendſhip to the King of *Denmark*, and to be favourable to his Affairs. And moreover, if any Perſon at any time hereafter invades or attacks the ſaid King of *Denmark*'s hereditary Kingdoms of *Denmark* and *Norway*, or the Dominions which he now poſſeſſes, the King of *Great Britain* ſhall aid and aſſiſt the ſaid King of *Denmark*, not only with ſuch a number of Ships and Forces, as the Crown of *England* was ever oblig'd to furniſh by former Treatys, but with ſuch extraordinary Supplys both of Land Forces and Men of War, as the Neceſſity and Circumſtances of the King of *Denmark*'s Affairs ſhall require, in ſuch manner that the Aggreſſors may evidently perceive, and be fully aſſur'd, that the King of *Great Britain* will in no caſe ſuffer the King of *Denmark* to be in any reſpect moleſted, or depriv'd of any part of his Kingdoms and Dominions, or in any meaſure oppreſs'd, if the ſaid King of *Great Britain* can poſſibly hinder and avert it with all his Arms and Forces.

V. 'Tis alſo agreed, that neither of the ſaid Kings ſhall receive or harbour the Enemys and Rebels of the other in his Kingdoms or Provinces, as long as he knows them to be his Enemys or Rebels. And if there happen to be any Pieces of Tapeſtry-Hangings, or Carpets, Pictures, or Houſhold Goods of any ſort, precious Stones, Jewels, or other Moveables of any ſort belonging to the King of *Great Britain*, now in the poſſeſſion of the King

of

of *Denmark* and *Norway* or any of his Subjects, they ſhall be immediately reſtor'd and tranſmitted to the King of *Great Britain*, or deliver'd to thoſe Perſons whom his Majeſty ſhall depute to receive them. And if any Perſons guilty of that wicked Parricide committed againſt King *CHARLES* I. of *Great Britain*, and lawfully convicted, condemn'd, and attainted for that Crime, either are now in the Dominions of the King of *Denmark*, or ſhall come thither hereafter, as ſoon as the ſame is made known or declar'd to the King of *Denmark*, or any of his Officers, they ſhall be apprehended and ſent over bound to *England*, or deliver'd into the Hands of thoſe Perſons whom the ſaid King of *Great Britain* ſhall appoint to ſecure and bring them over.

VI. It ſhall be free for the Subjects of both Kings to go to the Kingdoms, Provinces, Marts, Harbours and Rivers of the other, both by Land and Sea, with their Merchandize, and there to ſtay and traffick ſo long as they pay the uſual Cuſtoms; ſaving the Sovereignty and Right of both Kings in their reſpective Kingdoms, Provinces, Principalitys, and Territorys.

VII. 'Tis alſo agreed and concluded, that the Subjects of his moſt Sacred Majeſty of *Great Britain* ſhall have no Acceſs to ſuch prohibited Ports as are mention'd in former Treatys, without ſpecial Leave firſt deſir'd and obtain'd from the King of *Denmark*, *Norway*, *&c.* unleſs they are compell'd thither by evident Danger at Sea or Storms; but in ſuch caſe it ſhall not be lawful for them to trade there in any reſpect.

VIII. 'Tis alſo agreed and concluded, that if any Shipwreck happen on the Coaſts of either King, the Sufferer ſhall freely claim the Ship and Goods ſo caſt away and ſhatter'd, together with her Cargo; ſaving the Rights of every Place: and the Inhabitants thereof ſhall be oblig'd for a reaſonable Reward to be aſſiſting to the Sufferers in ſaving what can be ſav'd of the Wreck.

IX. If the Subjects of either King are hurt, injur'd, or damag'd in the Territorys of the other, then the King of that Place where the Injury is committed ſhall take care that Juſtice be ſpeedily adminiſter'd according to the Laws and Cuſtoms of the Country, and that whoever has committed the Offence or Injury ſhall have condign Puniſhment, and make Reparation for the Damage ſuſtain'd.

X. No private Injury ſhall in any meaſure invalidate

this Treaty, nor create any Ill-will or Diſcord between the ſaid Nations; but every Perſon ſhall anſwer for his own Actions: nor ſhall either be allow'd to revenge the Delinquency of the other by Repriſals or other hateful Proceſſes of that ſort, unleſs Juſtice be deny'd, or too long deferr'd; in which caſe it ſhall be lawful for that King, whoſe Subject has ſuſtain'd the Loſs and Injury, to proceed by all Methods according to the Law of Nations and Preſcription, till Reparation be made to the Party injur'd.

XI. The ſaid Kings have alſo agreed, that if hereafter (which however we hope will not be the caſe, and pray that God in his Mercy will avert it) it ſhall happen that any Differences or Controverſys ariſe between theſe Kings or Kingdoms, they ſhall be compos'd amicably, and the preſent Treaty ſhall not on that account in any manner be ſet aſide or made void.

XII. Tis agreed moreover that the former Treatys or Alliances between the ſaid Confederates, or the Kings their Predeceſſors, as well for the Hereditary Kingdoms of *Denmark* and *Norway*, &c. as for the Kingdoms of *England*, *Scotland* and *Ireland*, reſpectively, ſhall not on any account be deem'd as ſet aſide or repeal'd by any Contracts, Conventions, Articles or Heads contain'd in the preſent Treaty of Alliance, but that they ſhall always remain in their former Force and Vigour.

XIII. Tis agreed and concluded, that the People and Subjects of the King of *England*, *Scotland* and *Ireland*, who ſail to any of the Hereditary Kingdoms, Dominions, and Territorys of the King of *Denmark*, *Norway*, &c. whatſoever, or exerciſe Commerce in the ſame, ſhall not pay more or greater Cuſtoms, Tribute, Toll, or other Dutys, nor in any other manner than what the People of the *United Provinces* and other Foreigners (the *Swedes* only excepted) trading thither, and paying the ſmall Cuſtoms, do or ſhall pay; and they ſhall enjoy the ſame Libertys, Immunitys, and Privileges in going, returning, and ſtaying, as alſo in fiſhing and trading, as the People of any foreign Nation whatſoever, reſiding and trafficking in the ſaid Kingdoms and Dominions of the King of *Denmark* and *Norway*, do or ſhall enjoy. And on the other hand, the People and Subjects of the King of *Denmark* and *Norway* ſhall uſe and enjoy the ſame Privileges in the Countrys and Dominions of the King of *England*, &c.

&c. *viz.* in ſuch manner, that the People and Subjects of the King of *Denmark* and *Norway* who ſail to any of the Kingdoms, Countrys, and Dominions of the King of *England* whatſoever, or exerciſe Commerce therein, ſhall not pay more or greater Cuſtoms, Tribute, Toll, or other Dutys, nor in any other manner than what the People of the *United Provinces* of the *Netherlands*, or other Foreigners trading thither, and paying the ſmall Cuſtoms, do or ſhall pay; and they ſhall enjoy all the ſame Libertys, Immunitys, and Privileges in going, returning or ſtaying, and alſo in fiſhing and trading as the People of any foreign Nation whatſoever, reſiding and trafficking in the ſaid Kingdoms and Dominions of *England*, do and ſhall enjoy. Provided nevertheleſs, that the Sovereignty of both Kings in their reſpective Kingdoms, Countrys, Dominions and Ports, of appointing or changing the Cuſtoms and any other Dutys as occaſion ſhall require, remain ſecure and inviolable, ſo long as the Equality above mention'd be obſerv'd on both ſides in manner aforeſaid.

XIV. 'Tis alſo agreed, that if the Subjects and Inhabitants of either of the Confederates are compell'd with their Ships by the purſuit of Pirates, or ſtreſs of Weather, or any other Misfortune, to betake themſelves to the Rivers, Friths, Bays and Harbours of the other Confederate, they ſhall be courteouſly and kindly treated by the Magiſtrates and Inhabitants of ſuch Place; and it ſhall be lawful for them to provide themſelves at the Market-price with what Neceſſarys they want for refitting their Ships, and freely to depart again without any Impediment or Search, and without paying any Cuſtoms and Dutys, ſo long as they put aſhore none of their Goods or Bales, nor expoſe the ſame to ſale; and provided they neither carry nor receive on board their Ships, Perſons who are guilty or ſuſpected of any Crime, nor prohibited Goods, nor finally do any thing that is repugnant to the Laws, Statutes and Cuſtoms of the Place and Harbour at which they arrive.

XV. If the Men of War, or Merchant Ships of either of the Confederates, their Subjects and Inhabitants, happen (which God forbid) to be ſtranded upon the Coaſts of the other Party, or to ſplit upon the Rocks, or by any other Misfortune to ſuffer Wreck, the ſaid Ship, with all their Rigging, Goods and Merchandize, or whatſoever

ſhall remain thereof, ſhall be reſtor'd to their Owners and Proprietors; provided that they or their Plenipotentiarys or Attorneys claim the ſaid Ships or Goods in a Year's time after the Wreck, ſaving always the Laws and Cuſtom of every Nation. And the Subjects and Inhabitants dwelling on ſuch Coaſts and Shores ſhall be oblig'd to ſuccour, and as far as is poſſible to aſſiſt thoſe that are in danger, and ſhall do their utmoſt either to free the Ship, or to recover the Goods, Merchandize, and Ship's Rigging, and every thing elſe that they can, from the Wreck, and to carry the ſame to a ſafe place, to the intent that they may be reſtor'd to the Owners, on condition of their paying the Expences and Rewards which they deſerve, by whoſe Labour and Diligence the Goods and Things ſhall be recover'd and ſecur'd.

XVI. Both Partys ſhall cauſe Juſtice and Equity to be adminiſter'd to the Subjects and People of each other, according to the Laws and Statutes of ſuch Country, ſpeedily, and without tedious and unneceſſary Formalitys and Expences, in all Cauſes and Controverſys, whether thoſe now depending, or ſuch as may ariſe hereafter.

XVII. 'Tis alſo agreed and concluded, that all the Ships of the King of *England*, and his Subjects and Inhabitants, together with all their Merchandize, which ſail beyond the Fort of *Gluckſtadt*, or the other Places and Towns in the Dominion of the King of *Denmark*, ſituate on the Bank of the *Elbe*, ſhall, both going and returning, be free and exempt from all Toll, Cuſtom, Search, Detainer and Moleſtation, excepting only the Search at a time of War, when the King of *Denmark*, &c. happens to be at War with any other King or State whatſoever.

XVIII. 'Tis alſo agreed, that Fir-Trees, Maſts, and all the other ſorts of Timber, after they are once put on board the Ships of the Subjects or Inhabitants of the King of *England*, &c. ſhall be ſubject to no farther Viſitation, but all Viſitation or Search ſhall be made beforehand; and all Oak or any other prohibited Timber ſhall be ſtopp'd on the Spot before 'tis put on board the Ships: nor ſhall either the Perſons or the Goods of the People and Subjects of the ſaid King of *England* be put under Arreſt, or moleſted by any other kind of Embargo for that cauſe; and only the Subjects of the King of *Denmark*, who ſhall preſume to ſell or alienate ſuch ſort of Timber ſhall be duly puniſh'd for the Offence.

And

And the People and Subjects of the King of *England* ſhall have, poſſeſs, and enjoy all and ſingular the Premiſes contain'd and granted in this Article, without any Moleſtation or Interruption, ſo long as the Subjects or any of the People of the United Provinces of the *Low Countries* ſhall have, poſſeſs, enjoy, or ought, or are capable to have, poſſeſs, or enjoy the ſame, or the like Privileges, by virtue of any League whatſoever, that is already or may hereafter be enter'd into, or purſuant to any Convention, Contract or Permiſſion.

XIX. For the greater Security of Commerce and Freedom of Navigation 'tis agreed and concluded, that neither Party ſhall, if it be in their power, permit common Pirates, or other Robbers of that ſort, to harbour in any Ports of either's Kingdom or Country; nor ſhall either ſuffer any of his Inhabitants or People to receive them under their Roof, to furniſh them with Proviſions, or to give them any manner of Aſſiſtance, but on the contrary ſhall do his endeavour that the ſaid Pirates and Robbers, and their Accomplices and Aſſiſtants, be apprehended, and deſervedly puniſh'd, and that the Ships, with as much of the Goods as can be found, be reſtor'd to their right Owners or Proprietors; on condition that their Title appear fully prov'd in the Admiralty Court of Maritime Cauſes.

XX. 'Tis agreed and concluded, that there ſhall be always free Acceſs for the Subjects and People of both to the Harbours and Coaſts of the other Confederate; and it ſhall be lawful for them to ſtay therein, and from thence to return and paſs thro' all the Seas and Territorys whatſoever of both Kings reſpectively, (without doing any Damage or Prejudice) not only with Merchant-Ships and Veſſels of Burden, but alſo with Men of War; whether they are Ships of the State, or ſuch as are commiſſion'd by private Perſons; whether they are drove in by Streſs of Weather, or for avoiding the Danger of the Sea; whether to repair their Ships or to buy Proviſions; on condition they don't exceed the number of ſix Men of War, if they enter of their own Accord, nor ſtay longer in or about the Harbours than ſhall be needful for the Repair of the Ship, buying Proviſions, or other Neceſſarys. And if upon occaſion they ſhall offer to go to ſuch Ports with a greater number of Men of War, it ſhall never be lawful for them ſo to do, without timely Notice firſt given by Letters of their Arrival, and without Leave firſt obtain'd from thoſe

to whom the ſaid Ports belong. But if by Streſs of Weather, or urgent Neceſſity, they are compell'd to put into any Harbour, in ſuch caſe, without any Token or Notice preceding, the Ships ſhall not be reſtrain'd to any certain number; on condition nevertheleſs that their Commander, immediately after their Arrival, do certify the chief Magiſtrate or Governor of the Place, Port, or Coaſt, at which they arrive, of the Reaſon of his coming; and that he ſtay there no longer, than he ſhall be ſuffer'd by the chief Magiſtrate or Governor, and do neither commit nor attempt any Hoſtility in the Harbours which he enters, nor do any thing to the Prejudice of that Confederate to whom they belong.

XXI. 'Tis alſo agreed, that no manner of Veſſels, Ships, Goods, or Merchandize on board any Ships, of whatſoever nature, kind or quality, that are taken and belong to any of the Subjects whatſoever of either of the ſaid Kings, ſhall be condemn'd as Prize under any Colour or Pretext whatſoever, but by judicial examination and due courſe of Law in the Court of Admiralty, that is conſtituted in ſuch Maritime Parts for Maritime Cauſes.

XXII. 'Tis alſo agreed and concluded, that all the Ships and Merchants of *England* in their Paſſage thro' the *Sound*, ſhall enjoy the Benefit and Privilege of the moſt Serene King of *Denmark* and *Norway* in the ſame manner with reſpect to the deferring of the Payment of the Cuſtoms till their Return, which every one has enjoy'd of late Years; provided nevertheleſs that the ſaid Ships and Merchants bring Teſtimonials with them under the Seal of the Officers of his ſaid Majeſty of *England*, &c. deputed for this purpoſe, certifying that the ſaid Ships belong to the Subjects of the King of *England*; and that before they paſs the *Sound*, they give ſufficient Security for making the ſaid Payment at the proper Place, to the Collectors of the Cuſtoms of the King of *Denmark*, at their Return, or within three Months at fartheſt if they don't return; provided they have not paid the ſame in their ſaid firſt Paſſage.

XXIII. 'Tis alſo concluded, that the Ships and Subjects of the King of *England* ſhall receive their Diſpatches at *Elſinore* as ſoon as they arrive, without delay, and without being poſtponed after any Ships of any Nation whatſoever in that reſpect, excepting the Inhabitants of certain Places

who

who have obtain'd ſuch Preference time out of mind, and ſtill enjoy it.

XXIV. 'Tis alſo agreed, that if the *Dutch*, or any other Nation whatſoever, the *Swedes* excepted, has hitherto obtain'd, or ſhall hereafter obtain from the King of *Denmark* and *Norway* any better Articles, Conventions, Exemptions and Privileges than what are contain'd in this Treaty, the ſame or the like ſhall be communicated and effectually granted, freely and fully, to the King of *England* and his Subjects; and on the contrary, that if the *Dutch* or any other Nation whatſoever has obtain'd, or ſhall hereafter obtain of the King of *England* any better Articles, Conventions, Exemptions and Privileges whatſoever, than what are contain'd in this Treaty, the ſame or the like ſhall be communicated, and effectually, freely and fully granted to the King of *Denmark* and his Subjects.

XXV. Finally, 'tis agreed and concluded, that the aforeſaid moſt Serene Princes and Kings ſhall ſincerely and *bonâ fide* obſerve all and ſingular the Articles in the preſent Treaty contain'd and eſtabliſh'd, and cauſe the ſame to be obſerv'd by their Subjects and Inhabitants, without permitting them to contravene the ſame directly or indirectly; and they ſhall ratify and confirm all and ſingular the Articles above agreed by Letters Patent, indited and drawn up in due form, ſign'd with their own Hands, and ſeal'd with their great Seals; and ſhall *bonâ fide*, really and effectually deliver, or cauſe the ſame to be deliver'd reciprocally within three Months after the Date of theſe Preſents. Done, *&c.*

Treaty of Peace betwixt Charles II. *King of* England, *and the Baſſa and Divan of* Algier. *Made the 3d of* May, 1662.

I. THAT from henceforwards and for ever there ſhall be a good and firm Peace betwixt his Majeſty the King of *Great Britain*, &c. and the Baſſa, Divan, and Governors of *Algier*, and the Domains thereon depending; and the Vaſſals, Subjects and People of both Partys ſhall not offend or damage each other, but treat one another with all the Reſpect and Friendſhip poſſible: And all the Ships belonging to the King of *Great Britain*, or any of his Subjects, may freely come into the Ports of *Algier*, and there buy and ſell as in times preceding, as alſo into all the other Ports depending on the Government of *Algier*, paying the Dutys of ten *per Cent.* as heretofore: And no body under the Juriſdiction of *Algier*, ſhall do or ſay any thing againſt his Majeſty's Subjects.

II. That all the Ships which belong as well to his *Britannick* Majeſty, as to any of his Subjects, and thoſe alſo which belong to the *Algerines*, may paſs and traffick freely in the Seas without any Inquiry, Hindrance or Moleſtation whatever.

III. That all the Subjects of the King of *Great Britain*, who are at preſent Slaves in *Algier*, or other Places of the Country thereon depending, ſhall be reſtor'd to their Liberty, paying the Price for which they were ſold the firſt time in the Market; and that hereafter, no Subject of his Majeſty ſhall be bought or ſold, or made a Slave in *Algier*, or the Countrys thereon depending.

IV. That if any Ship of *Tunis*, *Tripoli* or *Sallee*, or any other, brings into *Algier*, or other places thereon depending, any Ships, Men or Merchandize belonging

to

to the Subjects of his Majesty of *Great Britain*, the Governors of those Places shall not permit them to be sold there.

V. That when any Merchant, who is a Subject of *Great Britain*, happens to die in *Algier*, or any Places thereon depending, the Bassa, Aga or other Ministers shall not seize his Money or Goods, but they shall remain in the Hands of the *English* Consul.

VI. That it shall be lawful for the *English* and their Consul who reside at *Algier*, to have a Place for their Prayers; and that no body shall by word or deed do any Wrong or Damage whatsoever to any of the Subjects of his said Majesty.

VII. If any of his Majesty's Subjects happen to strike a *Turk* or a *Moor*, if he is taken he may be punish'd; but if he escape, neither the *English* Consul, nor any others of his Majesty's Subjects, shall be questioned for it.

VIII. If any of his said Majesty's Men of War come into *Algier*, or any other Ports of that Government, with any Prize, it may be sold there, and the Masters of the Ships may dispose of it at pleasure, without being molested by any body, nor shall they be oblig'd to pay any Custom. And if the said Ships are in want of Provision, or other Necessarys, they may freely buy the same at the Market-price.

IX. That the Ships belonging to his Majesty of *Great Britain*, which come to *Algier*, or other Ports of that Country shall pay the usual Custom for the Goods which they sell; and those, which they do not sell, may be put on board the Ships again without paying any Duty for them.

X. That if any Ships of his Majesty, or any of his Subjects, happen to run ashore upon the Coasts depending on *Algier*, they shall not be declar'd Prize nor confiscated, nor shall the Crew be made Slaves; but the *Algerines* shall do every thing in their power to save them and their Goods.

XI. That neither the Consul, nor any other of his said Majesty's Subjects, shall be oblig'd to pay the Debts of any other *Englishman*, or Subject of his Majesty, unless they were Suretys for him.

XII. That no Subject of his Majesty of *Great Britain*, in case of any Differences, shall be oblig'd to submit to any Sentence but those of the Divan.

XIII. That

XIII. That his Majeſty's Subjects who have any Difference between themſelves, ſhall not be ſubject to any Juriſdiction but that of the Conſul.

XIV. That no Merchant, nor other Subject of his Majeſty, being Paſſengers, ſhall be moleſted or injur'd in any of the Harbours.

And that the ſecond Article may be the better executed according to the true Spirit and Meaning of it, 'tis agreed, that if any *Algerine* Man of War happens to meet any Merchant Ships belonging to his ſaid *Britannick* Majeſty, in Parts not within any Seas belonging to his *Britannick* Majeſty, he ſhall have the Liberty of only ſending his Long Boat on board ſuch Merchant Ship, with two Men more than the common Rowers, and not more than two, without the expreſs Command or Leave of the ſaid Merchant Ship. And as ſoon as a Paſſport is produc'd under the Hand and Seal of the Lord High Admiral of *England*, the ſaid Long Boat ſhall immediately retire, and the Merchant Ship proceed. And tho the Maſter of the ſaid Ship ſhou'd not produce a Paſſport from the Lord High Admiral of *England*, yet provided that the Crew conſiſt for the moſt part of the King of *Great Britain*'s Subjects, the Long Boat ſhall quickly retire in like manner, and the Merchant Ship proceed in her Voyage; and when any of his *Britannick* Majeſty's Men of War ſhall happen to meet with any *Algerine* Ship, if the Maſter of ſuch Ship produce a Paſſport from the Governor of *Algier*, and that the greateſt part of the Crew conſiſt of *Turks*, *Moors*, or Slaves, the *Algerine* Ship may freely continue her Voyage.

And as ſoon as theſe Articles are ſign'd and ſeal'd by the Regents, and thoſe who have Sovereign Authority in the City and Kingdom of *Algier*, all the Injurys and Damage done and ſuffer'd on both ſides ſhall be forgot, and this Peace ſhall be in its full force; and all Damages done, and Booty taken on both ſides, after the Execution of theſe Preſents, and the Proclamation of the Peace, ſhall be reſtor'd. If any Difference happen on either ſide, it ſhall not therefore be lawful to break the Peace till the due Satisfaction be abſolutely refus'd.

* *Treaty of Peace between* Charles II. *King of* England, *and the Baſſa and Divan of* Algier. *Made in* 1662.

WHEREAS the King of *England* and his People were inclin'd to make a Peace with us, and Vice Admiral *Lawſon* came hither fully inſtructed for that purpoſe from the King, together with nine Ships, and caſting Anchor near *Algier*, ſent ſome of his principal Officers aſhore, who ſpake as follows, 'Praiſe and 'Glory be to God: Gentlemen and Friends, we have 'liv'd with you in brotherly Love and Peace both by 'Land and Sea, in ſuch manner that we traded together 'quietly; but whereas at length we were without any 'Fault of ours again embroil'd in a War with each other, 'only by reaſon of ſome little Diſtaſtes that aroſe; and 'whereas ſome fatal or bloody Battels were fought between 'us, for this reaſon our King has again given it in command to his Vice Admiral, that he wou'd eſtabliſh a good 'and firm Peace with your Men, which we now intend to 'conclude upon equal Terms, and if you pleaſe we will 'propoſe them to you.' To that end they had free Leave from the Senate of this City.

I. If any Ship be caſt away in the Territory of the City of *Algier*, the Remains of the ſhatter'd Ship ſhall belong to the City, but her Perſons and Goods, and whatever is ſav'd in her, ſhall remain free to the Proprietors.

II. If a Controverſy ariſe betwixt an *Engliſhman* and a *Turk*, the Divan ſhall decree juſtly concerning it, and

* *Tho this Treaty, which is taken from the* Theatrum Pacis *Tom.* II. *and from the* Theatrum Europ. *Tom.* IX. *is of the ſame Year as the former, yet 'tis inſerted, becauſe 'tis quite different from the other. 'Tis left to the Reader to judge whether theſe two Treatys were made in the ſame Year, or which of the two is the right: the* Aitzema, *from whom the former is taken, ſays it was the Treaty made by Admiral* Lawſon.

ſhall

ſhall uſe their endeavour that the Quarrel may be accommodated, and that Right and Juſtice be adminiſter'd to whom it is due.

III. If any Difference ariſe between the *Engliſh* on account of any Tumult or Murder, or for any civil Cauſe, the Conſul ſhall be the only Judge of it.

IV. But if an *Engliſhman* owe Money to a *Turk*, not the Conſul but the Cady (*i. e.* the Judge) ſhall give Judgment in the caſe.

V. And if it happen that either Party complains of Skirmiſhes whether by Land or Sea, a Rupture ſhall not enſue on account of ſuch Skirmiſhing, but the one Party ſhall notify it to the other by Letters, and the Delinquent who preſum'd to infringe the Peace ſhall be puniſh'd, and perhaps loſe his Head.

VI. In caſe that an *Engliſh* Ship want Proviſion or Tackle, if the Maſters buy and pay for it, they ſhall not be oblig'd on that account to pay any Dutys extraordinary.

VII. If any *Algerine* Ships, commiſſion'd by publick Authority to cruiſe after the Ships of Enemys, happen to meet any *Engliſh* Merchant Ships at Sea, ſuch Corſairs may ſend their Long-boats on board the *Engliſh* Ships with two or three Men in them, beſides the Rowers; which two or three Perſons alone ſhall go on board the ſaid Ship, to enquire of the Skipper whether he carrys any *Spaniards*, *Genoeſe* or *Portugueſe*, or their Goods; and if the Skipper ſhall make anſwer that any People of thoſe Nations or their Goods are on board his Ship, he ſhall be oblig'd to deliver up ſuch Perſons and Goods to the Corſair, provided he pay for their Freight. But ſuch Corſair ſhall not be permitted to compel the Skipper or his Men to make ſuch Confeſſion, with Menaces, Stripes, or Blows.

VIII. When the *Engliſh* Merchants arrive with their Ships, and expoſe their Goods to Sale upon the Continent, they ſhall pay ten in the Hundred Cuſtoms for the Goods ſold, but ſhall not pay any at all for ſuch as they cannot ſell.

And whereas all the abovemention'd Articles have been propos'd by the *Engliſh*, the Senate makes anſwer that the ſaid Articles are acceptable; demanding at the ſame time, if any Perſon has any thing to object to them, that he now declare it, and that if any Perſon hereafter offer

to

to publiſh any Innovation contrary or detrimental to this Treaty, he ſhall be ſeverely cenſur'd, and not reckon'd a Member of our Order. Then with Hands lifted up, Thanks were given to God for his Bounty, and for the Peace granted betwixt the King of *England* and this City; and it was agreed on both ſides that he who ſhou'd break the Peace ſhou'd be moſt ſeverely puniſh'd.

Treaty of Peace between Charles II. *King of* England, *and* Oſman *Baſſa, and the People of* Tripoli; *made the* 18*th of* October 1662.

A Good and firm Peace ſhall take place, and be cultivated from this day for ever, between his Royal Majeſty of *Great Britain* and the *Baſſa* and People of the City and Kingdom of *Tripoli*. And the Ships and Subjects of both Partys ſhall not damage, injure or reproach the other, but ſhall carry it as obligingly to one another as poſſible, with all manner of Honour and Friendſhip. It ſhall alſo be free for all the Ships of his Majeſty of *Great Britain*, or his Subjects, to put in at the Port of *Tripoli*, without any Hindrance, and therein to buy and ſell as heretofore. And it ſhall not be lawful for any Perſon, Subject to the Juriſdiction of *Tripoli*, to diſguſt any Subject of his Royal Majeſty of *Great Britain*, either with reproachful Language, or by any real Injury. And all Injurys and Damages committed and ſuſtain'd on both ſides, after the Subſcription and Signing of theſe Articles, ſhall be wholly bury'd in Oblivion and ceaſe, and on the contrary the Peace ſhall remain eſtabliſh'd in full Force and Vigour.

II. All and ſingular the Ships, as well thoſe of his *Britannick* Majeſty and his Subjects, as thoſe which belong to *Tripoli*, ſhall freely and without any Impediment croſs the Seas, and trade without any Viſitation, Interruption and Moleſtation. And that this ſecond Article may have the greater ſtreſs laid upon it, 'tis agreed for the better under-

ſtanding of it, that if at any time the Men of War of *Tripoli* meet any *Engliſh* Merchant Ship out of the Limits of his *Britannick* Majeſty's Seas, the ſaid Ship ſhall ſend only the Long Boat aboard her, with two Perſons beſides the Rowers. But beſides theſe two, no other Perſon ſhall go aboard the Ship without the expreſs conſent of the Skipper; and the ſaid Boat, as ſoon as the Skipper has ſhewn the Letters of Safe Conduct, ſign'd by the Lord High Admiral of the *Engliſh* Nation, ſhall immediately retire and ſuffer the ſaid Ship to proceed on her Voyage with full Sail. And if the Skipper cannot ſhew ſuch Letters, ſign'd by the Lord High Admiral of the Kingdom, nevertheleſs if it be diſcover'd that the Mariners are for the moſt part Subjects of the Kingdom of *Great Britain*, the ſaid Boat ſhall depart and let the Merchant Ship go free; inſomuch that tho Foreigners happen to be on board with their Goods, ſhe ſhall be permitted to proceed freely and without Delay. And on the contrary, if any Man of War ſhall meet a *Tripoli* Ship at Sea, which ſhews her Letters of Safe Conduct from the Deys or Governours of this State, or if the greater part of the Mariners be *Turks*, *Negroes* or Slaves, then the ſaid Man of War ſhall let the *Tripoli* Ship go free.

III. If at any time any *Engliſh* Ship come to *Tripoli*, or the Port thereof, for the Sale of Merchandize, ſhe ſhall pay the uſual Cuſtom; and thoſe which ſhe does not ſell, ſhall be again put on board to be carry'd whither the Maſter pleaſes.

IV. But if any Ships of *Algier*, *Tunis*, *Sallee*, &c. bring any Prizes or Goods belonging to the Subjects of his Royal Majeſty of *Great Britain* into *Tripoli*, or its Harbour, the Deys or Governors ſhall not permit the ſame to be ſold within their Territorys. Nor ſhall any of his Majeſty's Subjects be bought, ſold, or made Slaves in the Territory of *Tripoli*.

V. Moreover, if any *Engliſh* Merchant die in *Tripoli* or the Juriſdiction thereof, no Baſſa, Aga, or other Officer, ſhall have a Right to demand any part of his Money and Effects, but the ſame ſhall be committed to the Diſpoſal of the *Engliſh* Conſul.

VI. It ſhall be free for his Majeſty's Subjects who now do, or hereafter ſhall dwell at *Tripoli*, to depart hence when they pleaſe, and go elſewhere with their Familys and Children, tho they happen to be born here.

VII. The

VII. The *Engliſh* Conſul, or any other Subjects of his Royal Majeſty, ſhall not be oblig'd, on account of any Controverſy, to appear before any Judge but the Divan.

VIII. When the Subjects of his Royal Majeſty have any Quarrel among themſelves, they ſhall not acknowledge any body's Juriſdiction but that of the *Engliſh* Conſul.

IX. Neither the Conſul, nor any others of his Majeſty's Subjects, ſhall be oblig'd to pay the Debt of any Fellow Subject, unleſs they have given Bond for it under their own Hands.

X. If an *Engliſhman* happen to ſtrike a *Turk* or a Negro, and be apprehended, he ſhall be puniſh'd; but if he eſcape, neither the *Engliſh* Conſul, nor other Subjects of his Majeſty, ſhall in any wiſe be moleſted on that account.

XI. If any Slaves of any other Nation make their eſcape from the Kingdom of *Tripoli* to an *Engliſh* Ship, the *Engliſh* Conſul ſhall not be oblig'd to pay their Ranſom, unleſs he be timely admoniſh'd and requeſted to take care that they be not receiv'd or detain'd on board. And if it afterwards appear, that notwithſtanding ſuch Precaution ſuch Slave has withdrawn himſelf, the ſaid *Engliſh* Officer ſhall repay the ſame Price for which the Slave was purchas'd; or if no Purchaſe was agreed on, he ſhall pay to the Owner of him 300 Imperials and no more.

XII. No Merchant, or any other Subject of his Majeſty, who ſojourns only as a Foreigner in *Tripoli* or any Port thereof, ſhall be detain'd or moleſted.

XIII. The *Engliſh* Conſul at *Tripoli* ſhall have a place aſſign'd him for religious Worſhip, and neither he nor the other Subjects of his Royal Majeſty ſhall be treated contumelioufly in Word or Deed.

XIV. If any *Engliſh* Man of War bring any Prizes into *Tripoli* or any other Harbour of its Juriſdiction, the Captain ſhall be at Liberty to ſell, or otherwiſe diſpoſe of them in what manner he will (without Payment of any Cuſtom) and alſo to buy any Proviſions or other Neceſſarys for his Ship at the uſual Market-price, without any Impediment.

XV. If any Ship belonging to his Royal Majeſty, or his Subjects, ſuffer Wreck on any of the Maritime Coaſts of *Tripoli*, neither the Men nor Goods ſhall be ſeiz'd, but the Inhabitants ſhall uſe all their Diligence to ſave and preſerve them.

XVI. If

XVI. If any Grievances ariſe between the Partys, neither of them ſhall therefore violate the Peace, before the Satisfaction demanded by the one is deny'd by the other.

XVII. The Capitulation enter'd into with the Grand Seignior, concerning all and ſingular the Points in theſe Articles, ſhall be inviolably obſerv'd. Theſe Articles were ſubſcrib'd and ſign'd in the Great *Divan*.

We *Oſman Baſha* certify by theſe Preſents, that the abovemention'd Capitulation and Articles of the Peace are ratify'd by us, and that we do hereby approve and confirm them; in Witneſs whereof we have caus'd our uſual Seal to be affix'd to them.

Treaty of Peace betwixt Charles II. *King of* England *and the City of* Tunis, *made in* October 1662.

I. ALL paſt Offences and Damages committed on both ſides, ſhall be bury'd in Oblivion, the Freedom of Commerce ſhall flouriſh hereafter, and both Parties ſhall freely make uſe of each other's Harbours.

II. No Ships of either Party ſhall diſturb or hinder the others at Sea, nor ſhall any of the Paſſengers or Goods be taken out of them.

III. If the *Engliſh* have any Perſons or Effects of *Tunis* on board their Ships, they ſhall be oblig'd to defend both the Men and Goods.

IV. It ſhall be lawful for all Ships on both ſides to put into each other's Harbours.

The other Articles being of the ſame Nature as thoſe in the Treatys with *Algier* and *Tripoli*, 'tis ſuperfluous to enumerate and repeat them:

Treaty

Treaty betwixt Charles II. *King of* England, *and* James *Duke of* Courland, *relating to* Tobago, *one of the* Caribbee *Iſlands, which was diſcover'd, cultivated and fortify'd by the Duke's Subjects, till they were diſpoſſeſs'd by the* Dutch; *upon which the Duke ſubmitted it to King* Charles's *Protection, and held it by way of Grant from the Crown of* England. *Concluded* Nov. 17, 1664.

I. THE King grants the Duke and his Succeſſors full Liberty of Trade and Commerce, for ſuch Ships as properly belong to him and his Heirs (but not to thoſe of his Subjects) in any Rivers or Havens within the Dominions of his Majeſty on the Coaſt of *Guinea*; as alſo to trade for Goods not exceeding the value of 12000 *l.* Sterling *per Ann.* according to the Price they were firſt bought for on thoſe Coaſts from whence they were exported, with full Liberty to build one or more Store-houſes to lay up Goods, under the Caſtles and Forts belonging to his ſaid Majeſty or Subjects on thoſe Coaſts; to hold and enjoy the ſaid Liberties as long as Friendſhip, Amity and a good Underſtanding continued between the ſaid King and the Duke.

II. In conſideration of the abovemention'd Conceſſion and Grant, the Duke makes over to his Majeſty, his Heirs and Succeſſors, the Fort of St. *Andrew* in *Guinea*, and all other Forts, Fortifications and Sconces there, belonging to the ſaid Duke, together with all Guns,

Bullets and Powder, and other Inſtruments of War thereto belonging.

III. The Duke agrees, that himſelf and his Heirs ſhall pay 3 *per Cent.* for all Goods imported or exported from any of his Majeſty's Ports in *Guinea*.

IV. Moreover his Majeſty grants to the ſaid Duke and his Heirs, *&c.* the Iſland of *Tobago*, together with all Lands, Havens, Creeks, Rivers and Profits to the ſame belonging, to be held and enjoy'd under the King's Protection. Provided always, that the ſaid Duke ſhall not ſuffer any other beſides his own Subjects, and the Subjects of his Majeſty, to abide in the Iſland, to ſettle Plantations, or build Houſes; but the King's Subjects ſhall have all the Privileges of the Duke's Subjects.

V. The Duke moreover agrees and promiſes, that neither he, nor his Heirs, *&c.* nor his Subjects, nor any for their uſe, ſhall export any Merchandize or Product of the ſaid Iſland of *Tobago*, or import otherwiſe than out of or into ſome Ports, belonging to *England* and *Courland*, or the Ports of the City of *Dantzick*.

VI. Moreover, for the ſake of acknowledging that the Duke of *Courland* does hold and enjoy the ſaid Iſland from his Majeſty, it is farther provided and agreed, that when and as often as the King of *Great Britain*, his Heirs, *&c.* ſhall ſo require it, or when he or they happen to be engag'd in a War againſt any other King, Prince or State, except the King of *Poland*, the Dukes of *Courland*, at their own proper charge, from time to time, ſhall bring or cauſe to be brought one good Man of War furniſh'd with 40 great Iron Guns to ſuch Ports, Station or Place, as his ſaid Majeſty, *&c.* ſhall name; into which Ship his Majeſty ſhall put Commanders and Seamen, and ſupply them with Victuals and Wages, under the Conduct and at the Expence of his ſaid Majeſty, ſo long as the ſaid Ship ſhall continue in his or their Service, which ſhall never be more than a Year at one time.

In Teſtimony, and for the undoubted Confirmation of this Treaty, *Charles* II. King of *Great Britain*, and *James* the Duke of *Courland*, have ſign'd and ſeal'd the abovenam'd Treaty. *Nov.* 17, 1664.

Treaty of Peace between Charles II. *King of* England *and the* United Provinces *of the* Netherlands. *At* Weſtminſter, Feb. $\frac{9}{19}$, 1674.

WHEREAS not only the Hearts of almoſt all the Chriſtian World have wiſh'd for the extinguiſhing of that deſtructive Flame of War which lately broke out, and even now rages between the moſt Serene and moſt Potent Prince *Charles* the Second, King of *Great Britain*, *France* and *Ireland*, Defender of the Faith, *&c.* and the high and mighty Lords the States General of the *United Netherlands*; but eſpecially the moſt Serene Queen Regent of *Spain*, out of regard to that antient Union and Friendſhip which has ſubſiſted between the Crowns of *Great Britain* and *Spain*, has us'd her Endeavours that Peace might be the ſooner reſtor'd, by the removing of all manner of Diſputes between the Kingdom of *Great Britain* and the Provinces of the *United Netherlands*. And whereas the ſaid States of the *United Netherlands* have endeavour'd, both by their Letters, and by repeated Meſſages, to perſuade the abovemention'd moſt Serene King of *Great Britain* to incline both his Ear and his Heart to Conditions of Peace; and that a Treaty of Peace might the ſooner be brought to its deſir'd Iſſue, gave full Powers to his Excellency *Peter Fernandez de Jouar* and *Velaſco*, *Marquiſs de Freſno*, Ambaſſador Extraordinary of the moſt Serene and moſt Potent Prince *Charles* II. King of *Spain*, &c. to the moſt Serene King of *Great Britain*, and one of the Lords of the Bedchamber to his ſaid Catholick Majeſty, that in their Name and on their Part he might treat of and conclude a Peace for them with the ſaid moſt Serene King of *Great Britain*; the ſaid moſt Serene King of *Great Britain*, who at firſt undertook the War only with a view to a firm and durable Peace, had ſuch regard to the Interpoſition of the ſaid moſt Serene Lady the Regent of *Spain*, that he freely aſſented to the Deſires of the ſaid States

General in this Reſpect; and therefore, in order to enter upon and conclude a Treaty of Peace between his Majeſty and the ſaid States General, he nominated and conſtituted the following his Deputys, Commiſſioners and Plenipotentiarys, veſted with full Powers, *viz.* his Right truſty and well-beloved Counſellor *Heneage* Lord *Finch* of *Daventry* Lord Keeper of the Great Seal of *England*, his Right truſty and well beloved Counſellors *Thomas* Viſcount *Latimer* Lord High Treaſurer of *England*, *James* Duke of *Monmouth* Captain of a Troop of his Majeſty's Life Guards, *James* Duke of *Ormond* Lord Steward of the King's Houſhold, *Henry* Earl of *Arlington* one of his Sacred Majeſty's Principal Secretarys of State, and his Right truſty and well-beloved Counſellor *Henry Coventry* Eſq; another of his Principal Secretarys: which ſaid Commiſſioners and Deputys, after ſeveral Meetings and Conferences with the ſaid Lord Marquiſs *de Freſno*, having the like Power from the ſaid States General of the *United Netherlands*, have at length mutually conſented and agreed to the following Covenants, Conditions, Clauſes and Articles, *viz.*

I. 'Tis agreed and concluded, that from this day there ſhall be a firm, ſincere and inviolable Peace, Union and Friendſhip, between the moſt Serene and moſt Potent King of *Great Britain*, and the High and Mighty Lords the States General of the *United Netherlands*, and their reſpective Subjects, in all the Countrys, Dominions and Places whatſoever of both Partys in *Europe*, or any other part of the World.

II. And to the end that this true Union between the ſaid moſt Serene Lord the King of *Great Britain* and the ſaid Lords the States General may the ſooner take Effect, 'tis agreed and concluded by them, that, immediately after the Promulgation of this Treaty of Peace, all Acts of Hoſtility ſhall be prohibited on both ſides; nor ſhall any Writ, Commiſſion, or Inſtruction be granted or promoted, or in any manner permitted by either Party, privately or publickly, directly or indirectly, to infeſt, invade, attack or deſpoil the Subſtance, Dominions or Subjects of either; but on the contrary, the Subjects of both Nations ſhall be ſtrictly commanded, that in all Places they behave themſelves to one another peaceably and amicably.

III. Becauſe the Diſtances of Places are ſo various, that the Commands and Directions of the reſpective Superiors

cannot arrive to all their Subjects at the ſame time, it has been thought fit, for avoiding Acts of Hoſtility or the Commiſſion of Violence on both ſides, to aſcertain the following Limitations, *viz.* That after the expiration of twelve days next enſuing the Proclamation of this Treaty, no Hoſtility be committed from that call'd the *Soundings* in the Weſt part of the *Britiſh Channel* to the *Naze* in *Norway*; nor after the end of ſix Weeks from the *Soundings* to *Tangier*; nor after the end of ten Weeks in the *Ocean*, the *Mediterranean*, or elſewhere between the ſaid City of *Tangier* and the Line; nor after the Expiration of eight Months in any Country of the World: and whatſoever Acts of Hoſtility ſhall be committed after the Expiration of the Terms aforeſaid, under pretext of any former Commiſſion, Letters of Repriſal, or the like, ſhall be deem'd illegal, and the Authors ſhall be puniſh'd as Violaters of the publick Peace.

IV. The ſaid States General of the *United Provinces*, juſtly acknowledging on their part the Right of the abovemention'd King of *Great Britain*, to have Honour paid to his Flag in the Seas hereafter nam'd, will and do declare and agree, that all and ſingular the Ships and Veſſels whatſoever belonging to the ſaid *United Provinces*, whether Ships of War or others, whether in Squadrons or ſingle Ships, which happen to meet any Ships or Veſſels whatſoever, belonging to the moſt Serene King of *Great Britain*, whether one or more, carrying his *Britannick* Majeſty's Flag call'd the *Jack*, in any of the Seas from *Cape Finiſterre* to the middle Point of Land in *Norway*, call'd *van Staten*, the ſaid Ships or Veſſels ſhall ſtrike their Topſail, and take down their Flag, in the ſame manner, and with the like Teſtimony of Reſpect, as has been uſually paid at any time or place heretofore by any Ships of the States General and their Anceſtors, to any Ships of his *Britannick* Majeſty or his Anceſtors.

V. Whereas the Colony of *Surinam*, and the Articles agreed upon for its Surrender, in the Year 1607, between *William Biam* at that time Governor of the ſaid Colony for the moſt Serene King of *Great Britain*, and *Abraham Quirini* for the ſaid States General, gave occaſion to many Quarrels and Diſputes in the Execution of them, and contributed greatly to the Miſunderſtanding which aroſe lately between his *Britannick* Majeſty and the ſaid States General; to the intent

that they may be no cauſe hereafter for any Miſtakes, the ſaid States General do by theſe Preſents agree and covenant with the above-mention'd moſt Serene King of *Great Britain*, that the ſaid Articles ſhall not only be fully executed without any Prevarication or Equivocation, but alſo that it ſhall be free for his moſt Serene Majeſty of *Great Britain* to depute one or more Commiſſioners to examine the State and Condition of his Subjects remaining there, and to agree with them for the time of their Departure. It ſhall be free alſo for his moſt Serene Majeſty to ſend one, two, or three Ships thither, to receive and bring away his ſaid Majeſty's Subjects, together with their Subſtance, Goods and Slaves; and that the Governor then being for the ſaid States General ſhall not make nor execute any Law, by which the *Engliſh* ſhall be us'd otherwiſe than all the other Inhabitants of that Colony have or ſhall be us'd, in the Purchaſe and Sale of Lands, Payment of Debts, or Barter of Goods; but that as long as they remain there, they ſhall enjoy the ſame Laws and Privileges of ſuing their Debtors, paying their own Debts, and of making Bargains, Stipulations and Contracts, as the other Inhabitants commonly enjoy. And whereas his *Britannick* Majeſty has required that ſufficient and authentic Letters from the States General to the Governor of that Colony, not only that the ſaid *Engliſh* may depart from thence, but that the Ships that are to be ſent thither as aforeſaid may be admitted, the ſaid States General ſhall within a certain Space of time deliver full and ſufficient Letters and Inſtructions to the Perſon deputed for that end, to the Governor of the Colony, not only that he may permit free Acceſs to the ſaid Ships, but give Leave to ſuch of his Majeſty's Subjects to go on board them as ſhall have a mind to depart thence, and to be tranſported with their Goods and Servants to ſuch place as his Majeſty ſhall appoint.

VI. 'Tis agreed and concluded, that whatſoever Countrys, Iſlands, Towns, Ports, Caſtles or Forts, have or ſhall be taken on both ſides ſince the time that the late unhappy War broke out, either in *Europe* or elſewhere, and before the Expiration of the Terms abovemention'd for the Ceſſation of Hoſtilitys, ſhall be reſtor'd to the former Lord and Proprietor, in the ſame Condition they ſhall be in when the Peace itſelf ſhall be proclaim'd. After which time there ſhall be no Spoil nor Plunder of the

Inhabitants, no Demolition of Fortifications, nor carrying away of Guns, Powder, or other Military Stores, which belong'd to any Caſtle or Fort at the time when it was taken.

VII. That the Treaty of *Breda* concluded A. D. 1667, as likewiſe all other preceding Treatys confirm'd by that Treaty, be renew'd and remain in full force, as far as is conſiſtent with the preſent Treaty.

VIII. That the Treaty of Navigation enter'd into at the *Hague* between both Partys A. D. 1668, be continu'd for nine Months after the Proclamation of this Treaty; unleſs it be otherwiſe provided by a ſubſequent Treaty: And that in the mean while the Conſideration of a new Treaty on that Head be referr'd to the ſame Commiſſioners to whom the Trade to the *Eaſt Indies* is referr'd in the following Article. But if ſuch Commiſſioners do not agree in a new Treaty of Navigation within three Months after their firſt Meeting, then ſhall the Affair be alſo referr'd to the Arbitration and Diſpoſal of the moſt Serene Lady the Queen Regent of *Spain*, in the ſame manner, as the Regulation of the *Eaſt India* Trade is plainly referr'd to her Majeſty's Arbitration in the ſaid following Article.

IX. And ſince not only the Wealth but even the Tranquillity of both Nations chiefly depends on the mutual and undiſturb'd Freedom of Navigation and Commerce, nothing therefore ought to be more taken care of by both Partys than a juſt and equal Regulation of Commerce, and eſpecially in the *Eaſt Indies*; and yet becauſe that Affair is of the greateſt Moment, it will take up a great deal of Time for the making of firm and durable Articles for the Satisfaction and Security of the Subjects of both Partys. And whereas the languiſhing and almoſt expiring Condition of many Countrys of *Europe*, as well as of the two Partys involved in this War, requires the concluſion of this Treaty to be ſpeedy, the above-mention'd moſt Serene King of *Great Britain* having been pleas'd to cloſe in with the Wiſhes and Deſires of the ſaid States General, has for the ſame Conſiderations agreed with the ſaid States General, in the Nomination of an equal number of Commiſſioners on both ſides, that the Perſons whom the States ſhall nominate may be ſent to *London*, to treat with thoſe whom his *Britannick* Majeſty ſhall likewiſe depute on his part, and that within the ſpace of three Months after the

Proclamation of this Treaty. The number alſo of the Commiſſioners to be nominated on both ſides ſhall be ſix. But if in three Months after they are come together their Endeavours are not crown'd with ſuch Succeſs as that a Treaty be by that means concluded, the Controverſys begun between them ſhall be referr'd to the Arbitration of the moſt Serene Lady the Queen Regent of *Spain*, who ſhall appoint eleven Commiſſioners, and whatſoever the major part thereof ſhall determine indifferently, the ſame ſhall bind both Partys. Provided always, that they declare their Opinion within ſix Months from the firſt day of their Meeting, which alſo ſhall be within three Months after the moſt Serene Lady the Queen Regent of *Spain* has taken the ſaid Arbitration upon herſelf.

X. That the ſaid States General ſhall after the Concluſion of the Peace be oblig'd to pay the Sum of 800000 Patacoons to his *Britannick* Majeſty in the following manner, *viz.* 200000 on the Exchange of the Ratifications, and the reſt at three equal Payments, within the Space of three Years next to come.

XI. That the moſt Serene King of *Great Britain* abovemention'd, and the ſaid High and Mighty Lords the States General of the *United Provinces*, ſhall ſincerely and *bonâ fide* obſerve all and ſingular the Articles contain'd and eſtabliſh'd in the preſent Treaty, and cauſe them to be obſerv'd by their Subjects and Inhabitants; and they ſhall not contravene them directly or indirectly, nor ſuffer them to be contraven'd by their Subjects or Inhabitants; and ſhall ratify all and ſingular the Conventions abovemention'd by Letters Patent drawn up in due Form, ſign'd with their own Hands, and ſeal'd with their Great Seals; and reciprocally deliver, or cauſe the ſame to be deliver'd, within Weeks after the Date of theſe Preſents (or ſooner if poſſible) *bonâ fide*, really and effectually.

XII. Laſtly, as ſoon as the ſaid Ratifications are exhibited reciprocally, and duly exchang'd on both ſides, the Peace ſhall be proclaim'd at the *Hague* within 24 hours after the Ratifications are ſo deliver'd and exchang'd. Done at *Weſtminſter*, the 9th day of *February*, A. D. 167¾.

Sign'd and Seal'd,

(L. S.) *H. FINCH.*
(L. S.) *LATIMER.*
(L. S.) The Marquis *del FRESNO.*
(L. S.)

(L. S.) *MONMOUTH.*
(L. S.) *ORMOND.*
(L. S.) *ARLINGTON.*
(L. S.) *COVENTRY.*

A Secret Article of the foregoing Treaty of Peace.

THat the Friendſhip and Confederacy between the moſt Serene Prince *Charles* II. of *Great Britain*, *France*, and *Ireland* King, Defender of the Faith, *&c.* and the High and Mighty Lords the States General of the *United Netherlands*, may be eſtabliſh'd on more ſolid Foundations, and that a Way may be open'd more eaſily for eſtabliſhing a ſecure and durable Peace in the Chriſtian World, over and above all the Articles which are this day covenanted and concluded in the Treaty of Peace and Friendſhip between the two Nations, 'tis alſo agreed by this Secret Article, that neither of the ſaid Partys ſhall give, nor conſent that their Subjects or Inhabitants ſhall give, any Aid, Favour, or Counſel, directly or indirectly, by Land or Sea, or on the freſh Waters; nor ſhall furniſh nor permit the Subjects or Inhabitants of their Lordſhips and Territorys to furniſh any Ships, Soldiers, Seamen, Victuals, Money, Inſtruments of War, Gun-powder, or any other Neceſſarys for making War, to the Enemys of either Party, of any Rank or Condition whatever. And the preſent Article ſhall have the ſame Force and Virtue altogether as if it was included in the ſaid Treaty of Peace and Friendſhip. Provided nevertheleſs, and be it underſtood, that nothing herein ſhall derogate from any of the Contents of that Treaty. It ſhall alſo be ratify'd and confirm'd by the ſaid moſt Serene King of *Great Britain*, *&c.* and by the ſaid Lords the States General, at the ſame time as the Treaty concluded this day ſhall be ratify'd. Done at *Weſtminſter*, the 9th day of *February*, 167¾.

Sign'd and Seal'd as above.

Treaty

Treaty of Commerce made and concluded between Mahomet IV. *Sultan of the* Turks, *and* Charles II. *King of* Great Britain, *whereby the antient Agreements made in the Reigns of Queen* Elizabeth, *and of King* James I. *and* Charles I. *are repeated and confirm'd, Article by Article, with a conſiderable Addition. Dated at* Adrianople *in the middle of the Moon* Gemaziel Akir 1086, *which anſwers to the Month of* Sept. 1675.

May the preſent Articles be obſerv'd conformably to my Imperial Command, and no Act be ſuffer'd to contravene them.

MAHOMET.

THE Decree under the High and Majeſtick Imperial Seal, preſerv'd and exalted by the Divine Providence, whoſe Triumph and Glory are renowned thro'out the World. I, who by the Favour of the Preſerver of all things, and the Mercy and Grace of the Merciful, am the powerful Lord of the Lords of the World, whoſe Name is formidable upon the Earth, the Diſtributer of all the Crowns of the Univerſe, Sultan *Mahomet Han*, Son of the Sultan *Ibrahim Han*, Son of the Sultan *Achmet Han*, Son of the Sultan *Mahomet Han*, Son of the Sultan *Amurath Han*, Son of the Sultan *Selymus Han*, Son of

of the Sultan *Solyman Han*, Son of the Sultan *Selymus Han*.

To the Glorious among the great Princes of *Jesus*, rever'd by the High Potentates of the People of the *Messiah*, sole Director of the important Affairs of the *Nazarene* Nation, Lord of the Limits of Decency, and the Honour of Grandeur and Renown, *Charles* the Second, King of *England* and *Scotland*, that is to say of *Great Britain*, *France* and *Ireland*, whose Designs and Undertakings may the Almighty bring to a happy and favourable Issue, with the Illumination of his holy Will.

The Queen of the said Kingdoms formerly sent several of her Gentlemen of Reputation, and Persons of Quality, with Letters and Ships to this High Imperial Porte, (which is the Refuge of the Princes of the World, and the Sanctuary of the Kings of the whole Universe) in the happy Times of my Predecessors of famous Memory, who are now seated in Paradise, where Souls enjoy the fullest Share of Divine Mercy; which Gentlemen and Presents were agreeably receiv'd, declaring and proposing in the Name of the said Queen, a good and firm Peace, and perfect Friendship, and desiring that her Subjects might have the Liberty to come from *England* to our Ports: Our said Predecessors of happy Memory, did at that time grant their Imperial Permission, and put several Imperial and particular Passports into the Hands of the *English* Nation, to the end that they might safely and freely go and come into these Dominions, and that both going and coming, whether by Sea or Land, they might not be molested nor hinder'd. Afterwards in the Life-time of our Great Grandfather Sultan *Mahomet Han* of famous Memory, (to whose Soul we wish Divine Absolution) it being again desired that the Merchandizing Subjects, and their Interpreters, might freely and securely come, traffick and trade thro'out his Imperial Domains, and that the same Capitulations, and other Privileges, and Imperial Passes, as those which had been granted to the Nations of the Kings and Princes who were in Peace and Amity with this Sublime Porte, particularly *France*, *Venice*, *Poland*, &c. might be also granted to the Subjects of the said Queen, and to all others that shou'd come with the *English* Colours: in compliance with the said request, the Imperial Capitulations and Privileges which follow,

follow, were granted and confirm'd by our Predeceſſors of famous Memory, *viz.*

I. That the ſaid Nation and the *Engliſh* Merchants, and all other Nations or Merchants, that do or ſhall arrive under the Colours and Protection of *England*, with their Ships great and ſmall, Merchandize, Effects, and all their other Eſtates, ſhall at all times ſail ſecurely in our Seas, and go and come with all manner of Safety and Freedom to all Parts within the Limits of our Imperial Dominions, in ſuch manner that no Perſon whatſoever of that Nation, nor his Goods or Effects, ſhall receive any Moleſtation or Impediment from any Perſon whatſoever.

II. That the ſaid Nation ſhall likewiſe ſafely and freely go and come by Land within the Limits of our Imperial Dominions, without any Injury, Moleſtation or Impediment to the Perſons, Cattle, Eſtates or Effects of the ſaid Nation, but that on the contrary they ſhall at all times traffick freely and ſecurely where they pleaſe, in any part of our Dominions.

III. If it happen that any Perſons of the ſaid Nation, coming into our Dominions by Land, or paſſing into other Countrys, be detain'd or ſtopp'd by any of our Miniſters, ſuch Perſons ſhall be reſtor'd to their full and entire Liberty, and never more be moleſted in their Journeys.

IV. All *Engliſh* Ships or Veſſels, great or ſmall, may at all times come and enter into any Port or Harbour whatſoever of our Dominions, and ſet out from thence when they pleaſe, without being delay'd or hinder'd by any Perſon whatſoever.

V. That if any Accident happen to any *Engliſh* Ship, great or ſmall, from Danger at Sea, or any other Neceſſity, all the Ships as well Imperial as thoſe belonging to private Perſons, which happen to be near at hand, and all other Ships that ſail upon the Seas, and that ſhall be near at hand to ſuccour them, ſhall be oblig'd to give them Aid and Aſſiſtance; and when they are enter'd into our Ports or Harbours, they may ſtay there as long as they pleaſe, buy all manner of Proviſions there, and other Neceſſarys for their Money, and take in freſh Water without any Trouble or Hindrance from any Perſon whatſoever.

VI. If any of their Ships which happen to be ſtranded by Tempeſts, or damag'd by any other Accident, be caſt away upon the Coaſts of our Dominions, all the Beg-

Beglerbeys, Cadis, Governors, Miniſters, and other Perſons that happen to be at hand to relieve them, ſhall be oblig'd to give them Aid and Aſſiſtance, and all the Goods and Merchandize that are ſav'd ſhall be reſtor'd to the *Engliſh*; and if they are inform'd that any Part of their Goods and Merchandize is ſtole and carry'd away, our ſaid Miniſters ſhall make ſtrict Search and Inquiry with all the Diligence poſſible, in order to find out and recover the ſaid Goods and Merchandize, and to reſtore them to the *Engliſh*.

VII. The *Engliſh* Merchants, their Interpreters, Brokers, and all other Subjects of the ſaid Nation, ſhall ſafely and freely come and go by Land or Sea to all the Ports of our Dominions, and from thence depart when they pleaſe, in order to return to their own Country; and we forbid all our Beglerbeys, Miniſters, Governors and other Officers, the Captains of Ships and all our other Subjects or Slaves, to lay Hand on their Perſons or Eſtates, or to do them any Wrong or Injury, under any Pretext whatſoever.

VIII. If it happen that any *Engliſhman* abſent himſelf, or fly the Country, or turn Bankrupt, either on account of his own Debts, or for having enter'd into Suretyſhip, the Creditor ſhall have no Redreſs but from the Debtor, and not from any other *Engliſhman*. And in caſe the Creditor has no Deed, or authentick Bail-Bond given by another *Engliſhman*, he ſhall not have any Demand upon any other *Engliſhman* for the Payment of what is due to him.

IX. In all Cauſes, Affairs and Incidents that ſhall happen between the Merchants, Interpreters, and Brokers, or Servants, and any other Perſons whatſoever of the ſaid Nation, that is to ſay, in giving or taking Suretys in the matter of Debts or Credit, and in all other Things which appertain to the Miniſters of Law and Juſtice, the Partys may always in ſuch Caſes apply to the Cady, who is the Judge of the Law, and execute a Convention, or ſome authentick and publick Deed, in preſence of Witneſſes; and after having caus'd it to be regiſter'd, may draw out an Abſtract of it, to be kept by the Partys, to the end that if for the future any Difference or Pretenſion be ſtarted between the ſaid Partys, they may both have recourſe to the ſaid Convention and Deed; and in caſe that the Pretenſion appear to be conformable to the Tenour of the Convention

that

that ſhall be regiſter'd, it ſhall have its effect agreeable to the Convention. But if the Suitor is not furniſh'd with ſuch publick Deed, and has it not ready to produce, and only exhibits partial Evidence that is trifling and lame, our Miniſters ſhall ſhew no regard to it, but ſhall act in purſuance of the authentick Deed regiſter'd.

X. And if any Perſon within the Extent of our Dominions accuſes any *Engliſhman* of having wrong'd him, and takes occaſion from thence to proceed againſt him *Vi & Armis*, or by partial Witneſſes, our Miniſters ſhall not hear them nor admit of their Proofs, but the Ambaſſador or Conſul of the *Engliſh* Nation ſhall be inform'd thereof, to the end that the Affair may be decided with his Participation, and in his Preſence, and that the *Engliſh* may always have recourſe to their Support and Protection.

XI. If any *Engliſhman* who has committed any Offence makes his Eſcape, or abſents himſelf, no other *Engliſhman* who was not Bail for him ſhall be apprehended or moleſted on his account.

XII. All *Engliſhmen*, or Subjects of the Kingdom of *England*, who are Slaves in any part of our Dominions, or who ſhall be demanded by the Ambaſſador or Conſul of the *Engliſh* Nation, ſhall after due examination of the Fact, if they appear to be true Subjects of *England*, be reſtor'd to Liberty, and deliver'd up to the *Engliſh* Ambaſſador or Conſul.

XIII. All *Engliſh* and all other Subjects of the Crown of *England*, that ſhall live and reſide in our Dominions, whether they be marry'd or unmarry'd, may trade, buy and ſell there, without being ſubject to any Tax, call'd the Harach or Poll-Tax.

XIV. The Ambaſſadors of *England* reſiding at *Aleppo*, *Alexandria*, *Tripoli* in *Syria*, or at *Tunis*, *Algier*, *Tripoli* in *Barbary*, or *Smyrna*, in the Ports of *Cairo*, or any other part of our Dominions, may eſtabliſh what Conſuls they pleaſe, and likewiſe depoſe or change them, and appoint others in their Place; and not one of our Miniſters ſhall oppoſe or refuſe to accept them.

XV. In all matters relating to Law and Juſtice between the *Engliſh* Nation and any other Nation whatſoever, neither the Judges nor any other of our Miniſters ſhall proceed and give Sentence in the Abſence of their Interpreters.

XVI. In

XVI. In caſe of any Difference happening between themſelves, the Determination thereof ſhall be left entirely to their Ambaſſador or Conſul, conformably to their Rights and their Laws, and our Miniſters ſhall take no Cognizance of it.

XVII. Our Galleys, Ships, or other Veſſels of our Empire which meet with any *Engliſh* Ships at Sea, ſhall not do, nor give, nor ſuffer the leaſt Injury or Moleſtation to be done or given, nor ſtop them, nor claim nor demand any thing of them, but ſhall ſalute them, and ſhew a reciprocal Kindneſs to one another without offering any Affront.

XVIII. All the particular Privileges and Agreements, which have in time paſt been granted to the *French*, the *Venetians*, or any other Chriſtian Nation whatever, whoſe King was in Peace and Friendſhip with the *Porte*, are given and granted in the ſame manner to the *Engliſh* Nation, to the end that the Tenour of our preſent Imperial Treaty may at all times hereafter be obſerv'd, by all manner of Perſons, and that no body may in any meaſure pretend on any Colour whatſoever, to contravene or violate it.

XIX. If the Pirates or Corſairs of the *Levant*, who infeſt theſe Seas with their Frigates, have taken any *Engliſh* Ship, or ſtole and plunder'd their Merchandize and Effects; and moreover, if any have taken away the Goods of any *Engliſhman* by Force, in any part of our Dominions, our Miniſters ſhall be oblig'd to uſe all poſſible Diligence to find out the guilty Perſons, and to puniſh them with Severity, and alſo to take care that all the Money, Ships and Merchandize, and every thing that has been taken from thoſe of the *Engliſh* Nation, may be immediately, punctually and abſolutely reſtor'd to them.

XX. All our Beglerbeys, Captains, Maſters of Imperial Ships, and other particular Judges, Governors, Officers of the Cuſtoms, Farmers, and all our other Subjects and Slaves, ſhall at all times obey and ſatisfy the Tenour of our preſent Conventions, confirm'd by Oath; and ſhall with the utmoſt reſpect cultivate the Friendſhip and good Correſpondence eſtabliſh'd between the two Partys, and take ſpecial care to do nothing that may be contrary to it. And ſo long as the ſaid Queen of *England* ſhall in Peace, Friendſhip and Alliance ſhew herſelf firm, conſtant and ſincere to us, conformably to the preſent Treaty of Friend-

ſhip,

ſhip, and a hearty good Correſpondence, we promiſe likewiſe on our part reciprocally, that the preſent Peace, Friendſhip, Articles, Capitulations and Correſpondence in the form above written, ſhall be maintain'd, obſerv'd, and regarded for ever, and that no Perſon ſhall contravene or diſobey any part thereof. All which Articles of Peace and Friendſhip above declared, have been concluded, ſign'd, agreed to, and confirm'd by an Imperial Capitulation by our Predeceſſors of happy Memory.

Since which time his Majeſty of *England*, *James*, who departed this Life in the time of Sultan *Achmet Han* our Grandfather of happy Memory, having ſent Ambaſſadors to our Imperial Throne with Letters and Preſents, which were very agreeable, and having deſir'd that the Peace and Friendſhip already contracted, and the good Correſpondence eſtabliſh'd with our Predeceſſors, and the Capitulations, Articles and Privileges abovemention'd might be again ratify'd, and the ſaid Peace and Friendſhip renew'd, deſiring moreover that ſome very neceſſary Articles might be added to the ſaid Conventions; his Majeſty's Deſire being declar'd in the Imperial Preſence of Sultan *Achmet Han* our ſaid Grandfather, it was immediately granted, and he expreſly order'd and commanded, that the ſaid Peace and Friendſhip might be renew'd and corroborated, and that the antient Conventions and Privileges might be confirm'd, and that the new Articles deſired might be added to and inſerted in the Imperial Capitulations. Granting moreover to the *Engliſh* Nation all the other Articles and Privileges, which had been granted and inſerted in all the other Capitulations made with the other Nations, Potentates, or Princes, who were in Peace and Friendſhip with the Imperial Porte; and by this Imperial Command he order'd that all Perſons ſhou'd obey the ſaid Imperial Commands, and that the Tenor thereof ſhou'd be duly obſerv'd. The following Articles were thoſe which were at that time granted and added to the Conventions.

XXI. That our Miniſters ſhall not demand nor take of the ſaid *Engliſh* Nation any Cuſtom, or other Dutys, for all the white Crowns or Sequins which they or any Perſons whatſoever carrying *Engliſh* Colours, ſhall bring or tranſport from Place to Place, or export out of our Dominions; and that neither the Beglerbeys, Beys, Cadis, Treaſurers, Maſters of Mints, or others, ſhall take or demand of the ſaid Nation, either Crowns or Sequins to change

change them into little Aſpers, nor commit any Violence againſt them, or give them any Trouble on that account.

XXII. The *Engliſh* Nation, and all that come under the Colours of *England*, with their Ships, great or ſmall, may ſail, traffick, buy, ſell, and live in all Parts of our Dominions; and, excepting Fire-Arms, Gunpowder, and ſuch other Merchandize, may put on board and carry in their Ships ſuch of our Goods as they pleaſe, without any Trouble or Hindrance of any Perſon whatever: and their Ships and Veſſels may freely come, and ſecurely caſt Anchor at all times, and trade at all times in all Parts of our Dominions, and there buy Proviſions, and all other Things for their Money, without any Contradiction or Hindrance of any Perſon whatſoever.

XXIII. In caſe of any Law-Suit, or other Quarrel with any Perſons of the ſaid *Engliſh* Nation, neither the Cadis, nor any other of our Miniſters of Juſtice ſhall hear or decide the Cauſe, unleſs the Ambaſſador, Conſul, or Drogerman of the ſaid Nation be on the Spot.

XXIV. All Differences or Law-Suits which ſhall happen with the ſaid Nation, exceeding the Value of 4000 Aſpers, ſhall be always heard and decided at our Imperial *Porte*.

XXV. When Conſuls or Reſidents of the *Engliſh* Nation are once eſtabliſh'd in any Port whatſoever of our Dominions, by the Ambaſſador who ſhall reſide there for the ſaid Nation, our Miniſters ſhall not have Power to commit them to Priſon, nor to ſeal up their Houſes, nor to ſend them away, nor to diſpoſe of their Offices and Functions. But in caſe of any Difference or Law-Suit with the Conſul, a Certificate ſhall be drawn up, and addreſs'd to the Imperial Court, to the end that the Ambaſſador may protect him, and be anſwerable for him.

XXVI. If any *Engliſhman*, or other Perſon that comes with *Engliſh* Colours, happen to die in our Dominions, our Treaſurers of the caſual Revenues, our Cadis and other Miniſters, ſhall not ſeize their Goods or Effects, or any other things appertaining to them, or any part thereof, under pretence that they are the Effects of one deceas'd, and that there is no body to own them; but they ſhall always be conſign'd over to and depoſited in the Hands of ſuch *Engliſh* Perſon, as the deceaſed ſhall appoint by his Will to take care of them; and in caſe that he die

inteſtate, the *Engliſh* Conſul ſhall take care of his Goods and Effects; and in caſe there be no Conſul at the place where he dies, the *Engliſh* Reſident ſhall take poſſeſſion of them; and if there be no Conſul nor any other *Engliſh* Man on the Spot, in that caſe the ſaid Goods and Effects ſhall be committed to the Cuſtody of the Cadi of the ſaid Place, and after the Ambaſſador of *England* has had notice of it by the Care of the Cadi, the ſaid Cadi ſhall be oblig'd to put all the ſaid Goods and Effects into the Hands of ſuch Perſons as the Ambaſſador ſhall ſend with a Commiſſion to receive them.

XXVII. All the preſent Privileges and other Libertys granted to the *Engliſh* Nation, and to ſuch as come under their Protection, by divers Imperial Mandates both before and after the Date of the preſent Imperial Capitulations, ſhall be always maintain'd and preſerv'd, and be always underſtood and interpreted in favour of the *Engliſh* Nation, conformably to the Tenor and true Conſtruction of them.

XXVIII. That in caſe of Mortality, neither the Officer who is call'd the Caſſam, or Collector of the Cadi's Cuſtoms, nor the Cadi himſelf, ſhall take or demand from the *Engliſh* any kind of Tenths, Caſmets or Dutys of the Diviſion.

XXIX. The Ambaſſador of the King of *England*, or the Conſul reſiding in our Dominions, may take into their Service what Janiſary or Interpreter they pleaſe at their own Choice and Expence; but no Janiſary or other Perſon of our Slaves ſhall enter into their Service againſt his Will and Conſent.

XXX. The Ambaſſador of the King of *England*, the Conſul, and all other Subjects of the *Engliſh* Nation, dwelling in our Empire, ſhall not be moleſted or hinder'd by any of our Miniſters, Cadis, or Janiſarys, on account of any Muſt or Wine which they make in their own Houſes for the uſe of their Perſons and Familys; nor ſhall any Money or Dutys be demanded of them, or any Hindrance given them for the Enjoyment of that Liberty.

XXXI. After the *Engliſh* Merchants have paid the Cuſtoms at the Ports of *Conſtantinople*, *Aleppo*, *Alexandria*, *Scio*, *Smyrna*, and other Places of our Dominions, purſuant to the Tenor of the Imperial Capitulations, no body ſhall trouble or moleſt them, nor take any thing more from them; and whatever Merchandize is brought into our Dominions

Dominions on board their Ships, and put aſhore at any Port whatſoever, in caſe that they deſire to reimbark it on board the ſame Ships, to tranſport it to any other Harbour or Port; when the ſaid Merchandize is arriv'd and landed at ſuch Port or Harbour, neither the Officers of the Cuſtoms, nor the Farmers, nor any other of our Officers, ſhall again receive or claim the Cuſtoms for the ſaid Merchandize; to the end that the ſaid Nation may at all times traffick, and carry on their Affairs with all manner of Freedom and Security.

XXXII. That not ſo much as an Aſper, or any other Money ſhall be demanded of any *Engliſh*, or of ſuch as trade under *Engliſh* Colours, on account of the Impoſt call'd Haſſapick, or a Compoſition for the Janiſarys Meat.

XXXIII. There having been a Difference formerly between the Ambaſſador of the Queen of *England* and the Ambaſſador of *France*, both reſiding at our *Port*, concerning the Merchants of the *Dutch* Nation; which Ambaſſadors preſented their Requeſts to our *Imperial Porte*, praying that the ſaid *Dutch* Merchants arriving in our Dominions might be oblig'd to come thither under the Colours of the ſaid Kingdoms, which Requeſt of the ſaid Ambaſſadors was granted under our Imperial Seal; and nevertheleſs, *Sinan Baſſa*, Son of *Cigala*, an Officer of the Navy lately deceas'd, who was an Admiral, and well skill'd in maritime Affairs, having informed his Imperial Majeſty that it was proper and convenient that the *Dutch* Nation ſhou'd be put under the Protection of the Ambaſſador of *England*, and that this ſhou'd be accordingly inſerted in their Conventions, his Opinion was approved by all the Viziers, and he was commanded by an expreſs Order, and the Imperial Authority, that the *Dutch* Merchants of the Provinces of *Holland*, *Zealand*, *Frizeland* and *Guelderland*, that is to ſay, the Merchants of thoſe four Provinces trading to our Dominions, ſhould always come thither under the Colours of the Queen of *England*, as all the *Engliſh* did; and that as for all Commodities and Merchandize which they brought on board their Ships to our Dominions, or exported from thence, they ſhou'd pay the Conſul's Dutys, and all the other Dutys to the Ambaſſador or Conſul of the Queen of *England*; and that neither the Ambaſſador of *France*, nor the Conſul of the *French* Nation ſhou'd ever interfere for the future in that Affair: and it

was commanded that this ſhou'd be executed and obſerv'd hereafter, agreeable to the preſent Capitulation.

After this another Ambaſſador ſent from the King of *England* arriving at this Sublime *Porte*, with Letters and Preſents which were very agreeable, the Ambaſſador deſired that ſome other neceſſary Articles might be added to and inſerted in the Imperial Capitulations; the firſt of which was, that as heretofore in the Life of Sultan *Soliman Han*, one of our Predeceſſors of famous Memory, there was a certain Capitulation, and a certain Privilege granted, importing that the Merchants of *Spain*, *Portugal*, *Ancona*, *Seville*, *Florence*, *Catalonia*, and all ſorts of *Dutch*, and other foreign Merchants, might with all manner of Security go and come to all Parts of our Dominions, and there traffick and trade, granting them leave moreover to eſtabliſh Conſuls in any part of our Empire whatſoever; but that as ſuch Nation ſingly was not capable to defray the Expences and Maintenance of a Conſul, it might be left to their Choice and Free-will, to come under the Colours of any Ambaſſador or Conſul of a King, that ſhou'd be in Peace and Amity with our Sublime *Porte*. Upon this Conceſſion, and upon the other Privileges which were given to them, Orders and Commiſſions were frequently granted to them, at the Requeſt of the foreign Merchants, who of their own Motion and good Pleaſure choſe to trade under the Colours and Protection of the Ambaſſador and Conſul of the King of *England*; and during the time that they had recourſe to the Colours and Protection of the *Engliſh* Conſuls in our Ports and Harbours, it ſeem'd that the Ambaſſador of *France* having found an Opportunity to cauſe it to be reinſerted in the Capitulations, that the ſaid foreign Merchants ſhou'd come under their Flag, attempted to oblige them in all the Harbours to put themſelves under their Protection; for which cauſe the Diſpute was again renew'd, and referr'd to our Divan or Grand Council, who having duly examin'd the Affair, after the ſaid Merchants were permitted to make a new Choice and Election, according to their Will and Pleaſure, did again demand that they ſhou'd be and remain under the Protection of the Ambaſſador of the King of *England*: and tho it was declar'd at the *Imperial Porte* that the Ambaſſador of *France* had not ſo much as offer'd to moleſt the ſaid Merchants, or to compel them to put themſelves under their Protection, the firſt Article of the *French* Conventions importing, that

foreign

foreign Merchants ſhou'd come under their Protection, was by the Imperial Command declar'd void and annull'd; and to the end that according to the antient Cuſtom of the ſaid foreign Merchants, they might always come under the Flag and Protection of the Ambaſſador or Conſuls of *England*, and that they might never hereafter be moleſted or diſturb'd by the Ambaſſador of *France* on this Head, the ſaid Ambaſſadors of his Majeſty of *England*, having deſir'd that the ſaid Circumſtance might be written and inſerted in this new Imperial Capitulation, this preſent Article was conſequently inſerted in it: and it is enjoin'd by the Imperial Authority, that hereafter, and for ever, the Merchants of the ſaid Princes ſhall be always under the Flag and Protection of the Ambaſſador and Conſuls of *England*, in the Form abovemention'd, and agreeably to the preſent Imperial Order, which ſhall be put into their Hands.

XXXIV. There ſhall never be any Imperial Mandates given or granted contrary to the Tenor and Articles of the preſent Imperial Command, nor to the prejudice of our preſent Treaty of Peace and Friendſhip; but on ſuch Occaſions the Cauſe ſhall firſt of all be communicated to the Ambaſſador of *England* reſiding at the *Porte*, to the end that he may declare againſt, and oppoſe every unwarrantable Action, or other Pretext which might violate the Peace and Alliance.

XXXV. After the *Engliſh* Merchants have paid any Cuſtom for all the Merchandize which they ſhall bring, or tranſport on board their Ships, they ſhall likewiſe pay the Conſul's-Fee to the *Engliſh* Ambaſſador or Conſul.

XXXVI. The *Engliſh* Merchants, and all others, who come under the Colours of *England*, may with all manner of Security trade, ſell and buy thro'out our Dominions all Sorts of Merchandize, (thoſe only excepted which are prohibited;) and they may likewiſe go and trade to *Muſcovy* by Sea or Land, either by way of the River *Tanais* or *Don*, or thro' *Ruſſia*, and may bring their Merchandize from thence to our Empire: and in like manner they may go to trade in *Perſia*, and return thro' any Part of it which we have conquer'd, and thro' the Confines, without Hindrance or Moleſtation from our Miniſters: and they ſhall pay the Cuſtoms and other Dutys of that Country, and nothing more.

XXXVII. The *Engliſh* Merchants, and all that come under the Colours of *England*, may freely and ſafely traffick and trade in *Aleppo*, *Cairo*, *Scio*, *Smyrna*, and in all parts of our Dominions, paying according to antient Cuſtom, Three *per Cent.* for all their Merchandize, and no more.

XXXVIII. In caſe that the *Engliſh* Ships which come to our City of *Conſtantinople*, are forc'd by Dangers at Sea, or by bad Weather, to put in at *Caffa*, or ſuch other Port, ſo long as the *Engliſh* continue on board without ſelling their Commoditys and Merchandize, no body ſhall do them any Violence, nor give them any Trouble or Hindrance: but in all places where there is Danger, the Cadis and our other Miniſters ſhall always defend and protect the ſaid *Engliſh* Ships, their Men and Goods, for fear leſt they receive any Damage; and the *Engliſh* may there buy Proviſions and other Neceſſarys for their Money; and in caſe they have a mind to hire any Carts or Veſſels, that have not been beſpoke before by other Perſons, to carry their Merchandize from Place to Place, no Perſon ſhall give them any Trouble or Hindrance whatſoever.

XXXIX. For all the Merchandize which thoſe of the *Engliſh* Nation ſhall bring on board their Ships to the City of *Conſtantinople*, or any other Port of our Dominions, and which they do not intend to put aſhore or ſell there, no Cuſtom ſhall be demanded or taken at their Arrival in the Port; and when they have landed their Merchandize and paid the Cuſtoms and other Dutys for the ſame, they may peaceably and ſafely depart without Moleſtation from any Perſon.

XL. Foraſmuch as the *Engliſh* Ships in coming to our Dominions often us'd to ſtop at ſome place of *Africa*, and there take on board Pilgrims and Mahometan Travellers, to tranſport them to *Alexandria*, and when they were enter'd into that Port, the Commiſſioners of the Cuſtoms, and other Officers demanded the Cuſtoms for all Merchandize on board their Ships, before the Merchants ſo much as deſign'd to land any, on account of which Moleſtation they have left off carrying of Pilgrims: And moreover, whereas when their Ships arrive at *Conſtantinople* with ſeveral ſorts of Goods, of which a part is to be tranſported to other Places, the Commiſſioners and Farmers of the Cuſtoms are for compelling them to put their Goods aſhore, and to pay the Dutys; for theſe

Cauſes

Cauſes we order that all *Engliſh* Ships which come laden with Merchandize to the *Porte* of *Conſtantinople*, *Alexandria*, *Tripoli* in *Syria*, *Scanderoon*, or any other Harbour whatſoever of our Empire, ſhall only pay the uſual Cuſtoms for the Merchandize which they chuſe to ſell; and as for ſuch as they chuſe not to unlade out of their Ships, our Officers of the Cuſtoms ſhall not take or demand any Cuſtom or other Dutys from them, but they ſhall be at Liberty to carry them whither they pleaſe.

XLI. In caſe an *Engliſhman*, or any other Perſon whatſoever coming under the Colours of *England*, commit any Murder, Bloodſhed, or the like Crime; or if any Affair happen which depends on the Law or Juſtice, neither the Judges nor other Miniſters may decide it, or give Sentence upon it, before the Ambaſſador or Conſul is preſent to examine the Affair duly; but the Difference ſhall always be examin'd in preſence of the Ambaſſador or Conſul, to the end that no body may be try'd or condemn'd, contrary to the Tenor of the Law, and to the Capitulations.

XLII. Whereas it is ſtipulated in the Imperial Capitulations, that the Merchandizes, put on Shore out of the *Engliſh* Ships which come to our Dominions and pay Cuſtoms, ſhall alſo pay the Conſul's Fees to the *Engliſh* Ambaſſador or Conſul: And whereas it has happen'd that ſeveral Mahometan Merchants, thoſe of *Scio*, and others who are in Peace and Friendſhip with this Imperial *Porte*, and other foreign Merchants, refuſe to pay the Conſul's Fees, 'tis therefore order'd that all Goods which ſhall be on board their Ships, and which ſhall pay Cuſtoms to any Perſons to whom they appertain, ſhall, according to the antient Capitulations, pay the Conſul's Fee to the Ambaſſador or Conſul of *England* without Contradiction.

XLIII. That the *Engliſh* Merchants, and thoſe under the Flag of *England*, trading to *Aleppo*, ſhall pay the ſame Cuſtoms for all Silks which they buy, and put on board their Ships, as the *French* and *Venetian* Merchants, and not a Farthing more.

XLIV. Foraſmuch as the Ambaſſadors of the King of *England*, who ſhall reſide at this Imperial Court, are Commiſſioners of his Majeſty, and repreſent his Perſon; and as the Interpreters ought to be conſider'd as Commiſſioners of the Ambaſſador, therefore in all Affairs

wherein Interpreters ſhall tranſlate or ſpeak in Name and by Order of the Ambaſſador, if what they ſhall tranſlate happens to be conformable to the Will and Order of the Ambaſſador or Conſul, they ſhall always be exempted from Accuſation and Puniſhment; but in caſe they commit an Offence, our Miniſters ſhall not impriſon any ſuch Interpreters, nor male-treat them, without the Knowledge of the Ambaſſador or Conſul. In caſe any of the *Engliſh* Interpreters happen to die, if he be an *Engliſhman* by Nation, the Ambaſſador or Conſul of *England* ſhall take poſſeſſion of all his Goods and Effects; but in caſe he be a Subject of our Dominions, they ſhall be put into the Hands of his next Heir; and in caſe he die without Heirs, they ſhall be carry'd to our Imperial Treaſury. And 'tis expreſly commanded and enjoin'd, both by this Clauſe and by all the other Articles abovemention'd, and in the Privileges granted by our Predeceſſors of happy Memory, that all our Slaves ſhall obey and conform themſelves always to the preſent Royal Capitulation, and that the Peace and Friendſhip ſhall be regarded and maintain'd without any Violation whatſoever.

XLV. Since the ſaid time of our Predeceſſors of famous Memory, and the Grant of the Capitulations, Articles and Eſtabliſhment of the abovemention'd Peace and Amity, the ſaid King of *England* having in the Days of Sultan *Mahomet Han*, our Grandfather of happy Memory, ſent a Perſon of Quality with the Character of his Well-beloved Ambaſſador to this Imperial *Porte*, to confirm the ſaid Peace, Articles and Capitulations, the ſaid Ambaſſador declared more than once, that Imperial Mandates had been granted to ſeveral Perſons, which had been ſurreptitiouſly obtain'd, contrary to the Tenour and Articles of the Imperial Capitulations; which having been exhibited without our knowledge to our Judges and Governors, and the Dates of thoſe Mandates being freſher than thoſe of our Imperial Capitulations, the Judges and Miniſters put thoſe private Mandates in Execution, contrary to, and in Prejudice of the Imperial Mandates; therefore to the end that hereafter there may be no more ſuch Mandates accepted by any of them, but rather that the Imperial Capitulations may always be obſerv'd and maintain'd according to their genuine meaning, the ſaid Ambaſſador demonſtrating the Sincerity of his Majeſty, and his

Requeſt

Requeſt upon this occaſion, which was very acceptable, coming to our Imperial Cognizance, in purſuance thereof it was expreſly enjoin'd, that all Mandates of this nature, which had been already, or ſhould hereafter be granted, and which were or ſhould be contrary to the Tenour of the preſent Capitulation, ſuch as thoſe Mandates were, when they came to be produc'd before our Cadis, or our other Miniſters, ſhou'd never be accepted nor executed, but that the Tenour of the Imperial Capitulations ſhould be always obſerv'd; and that whoſoever ſhould produce ſuch Mandates contrary to the Capitulations, they ſhould be taken from him, and be of no manner of Force or Virtue: And at the ſame time all the Privileges, Articles and Capitulations above written were likewiſe approv'd and ratify'd on the part of our ſaid Grandfather, and the Peace and Friendſhip and good Correſpondence contracted heretofore, were again confirm'd and eſtabliſh'd.

XLVI. At the time of the Inſtallation of Sultan *Oſman Han* on the High and Imperial Throne, the King of *England* again ſent a famous and noble Gentleman in the Character of his Ambaſſador, with Letters and Preſents which were very agreeable; and the ſaid Ambaſſador having in the name of his King and Sovereign, deſired that the antient Capitulation, and the Articles and Contracts granted in the Life-time of our Predeceſſors, might by him be renew'd and confirm'd, and the antient Peace and Amity again fortify'd and eſtabliſh'd, the ſaid Requeſt was very agreeable to the ſaid Sultan *Oſman*, and the antient Capitulations, Articles and Privileges were herein written and confirm'd, and the Peace and Friendſhip of ſo long ſtanding was by him promis'd and granted.

XLVII. After this, and in the Life-time of the ſame Sultan *Han*, the King of *England* having ſent another Ambaſſador to this Sublime *Porte*, *viz.* his Excellency Sir *Thomas Roe*, with Letters and Preſents which were very well receiv'd; and the ſaid Ambaſſador having in name of the King his Maſter, offer'd all manner of Terms of Friendſhip and good Correſpondence, and deſired that the antient Capitulations, with all the Articles heretofore granted by his Anceſtors and by him to the *Engliſh* Nation, might be again confirm'd, and that the Peace and Alliance which had been a long time contracted between the two Partys, might be renew'd and ratify'd, and that ſome other very neceſſary Articles might be added to the Imperial Capi-

Capitulations, and ſeveral others already granted might be renew'd, chang'd and explain'd, in the beſt manner, the ſaid Requeſt and Demand were very acceptable to him; and conformably thereunto, the antient Imperial Capitulations, and all the Articles and other Privileges therein confirm'd again and again, and the Peace, Friendſhip and good Correſpondence contracted in the time of his Anceſtors, were by him alſo again confirm'd, ratify'd, eſtabliſh'd, promis'd and granted. Whereupon he iſſued an expreſs Command, that for the future, the Tenour of his Imperial Capitulation ſhould be obſerv'd by all Perſons, and that they ſhould be very careful of the Peace and Amity eſtabliſh'd and contracted between the two Partys, and that no body ſhou'd attempt to violate them, or commit any Action contrary to them. Which Ambaſſador declar'd ſeveral times, that the Cadis, and our other Miniſters had impos'd and eſtabliſh'd divers Taxes, Tributes, and Sums of Money upon the ſaid *Engliſh* Nation, and on all that came under the *Engliſh* Flag, to the Prejudice of the Imperial Capitulations, and contrary to the Will of his Imperial Majeſty: for which cauſe, as is above declar'd, it having been found neceſſary to make Additions of ſome new Articles to the ſaid Imperial Capitulations, of which the ſame Ambaſſador drew up a Declaration in Writing, and preſented it to his Imperial Majeſty, the ſaid Sultan *Oſman Han* immediately gave Orders and expreſs Command, ſign'd and ſeal'd by his Imperial Hand, importing, that hereafter all the Articles which had been before in the Imperial Capitulations, as well as thoſe which by his Order were lately added to them, ſhou'd be duly obſerv'd according to the genuine meaning of the then Capitulations.

XLVIII. Foraſmuch as 'tis publickly notorious, that certain Pirates of *Tunis* and *Algier*, in breach of our Imperial Capitulations, and contrary to our Will and Intention, do take and carry off by Sea, the Ships, Merchandize, and Men who are the Subjects of the King of *England*, and of other Kings and States in Alliance with our Imperial Porte, to the great Damage and Prejudice of the ſaid *Engliſh* Nation; for theſe Cauſes we command, and do by theſe Preſents enjoin, that ſeveral Mandates be given and diſpatch'd for the entire and perfect Reſtitution of the Goods and Merchandize ſo taken from the *Engliſh* Nation, and that all the *Engliſh* who have been taken and made

Slaves,

Slaves, or impriſon'd by the ſaid Pirates, may be forthwith ſet at Liberty; and if after the day of the date of our preſent Imperial Capitulations, it happens that the ſaid Pirates of *Tunis* and *Algier* continue to rob and commit other Outrages againſt them, and will not reſtore their Goods and Perſons, we forbid the ſaid Pirates to be receiv'd into any Port of our Dominions, and particularly into the Harbours of *Tunis*, *Algier*, *Modon* or *Coron*; and do expreſly forbid our Beglerbeys, and other Miniſters, to let them enter therein, or to ſuffer them to be there entertain'd; but on the contrary, we command the ſaid Beglerbeys, Cadis, and other Miniſters, to proſecute, baniſh and puniſh them.

XLIX. Having receiv'd Information that ſeveral of our Commiſſioners of the Cuſtoms, and other Officers at *Aleppo*, to the prejudice of our Imperial Capitulations, and under pretence of taking the Cuſtoms and other Dutys on the Silks of the *Engliſh* Merchants, have by violence extorted great Sums of Money from the ſaid Merchants; and whereas it is written in the Imperial Capitulations, that the *Engliſh* ſhall pay for the Silks which they buy in *Aleppo*, as the *French* and *Venetians* do, and no more; nevertheleſs the ſaid Officers of the Cuſtoms, beſides the two and a half *per Cent.* Cuſtoms, have lately exacted a great Sum of Money from the ſaid Nation, by the name of Reſt or Overplus; for theſe Cauſes, we order that the ſaid Affair may be taken into Conſideration, and the ſaid Sum of Money reſtored, and that hereafter the old Cuſtom be obſerv'd, and that the ſaid Nation pay no more than the *French* or *Venetians* do, and that they never demand of them ſo much as an Aſper under the Name of the ſaid Impoſition.

L. Foraſmuch as the *Engliſh* Merchants dwelling at *Galata*, commonly buy ſeveral Goods and Merchandize, and before they can put them on board their Ships and ſend them away, pay the Officers of the Cuſtoms the Dutys thereof, taking a Certificate or Acquittance to ſhew that they have paid them, after which they ſend their Merchandize to their Warehouſes, and in the mean time it happens that before they can lade and ſend away the ſaid Goods, the Officer of the Cuſtoms nam'd *Diet* dies or is turn'd out of his Poſt, and the new Commiſſioner or Officer, eſtabliſh'd in his place, will not be ſatisfy'd with the ſaid Acquittance, but demands another Payment

ment of the Duty, and troubles and moleſts the ſaid Merchants in ſeveral reſpects; for this Cauſe we order, that when it really appears, that they have once paid the Cuſtoms for all the Merchandize which they have bought, the Officer of the Cuſtoms ſhall be ſatisfy'd with the ſaid Acquittance, and not demand a ſecond Judgment from the Merchants.

LI. Whereas Camlets, Mohairs, Silks, and other ſorts of Goods are commonly bought at *Angora*, and tranſported to *Conſtantinople* and other Places of our Dominions, which after paying Cuſtoms, and taking the Acquittances, were put into Warehouſes, and afterwards when the Merchants go to put them on board in order to carry them elſewhere, the Officers of the Cuſtoms again demand payment of the Dutys: For theſe Cauſes, when it happens hereafter that the Merchants are inclin'd to embark their Goods, and it be true that they have already paid Cuſtom for ſuch Merchandize, the ſaid Officers of the Cuſtoms ſhall not demand a new or ſecond Payment; provided that the ſaid Merchants do not mix their Merchandize which has not paid the Dutys with that which has.

LII. When the *Engliſh* Merchants have paid the Cuſtoms for all the Goods which they bring to our Dominions, or for thoſe which they ſhall have a mind to tranſport elſewhere unſold, as Silks, Camlets, and other Goods, and afterwards deſire to put them on board, and ſend them to *Scio*, *Smyrna*, or ſome other Port, the Commiſſioners of the Cuſtoms, and other Officers ſhall always be oblig'd to receive their Acquittances, which they ſhall have ready to produce, and ſhall not demand nor take any other Cuſtoms for their Merchandize.

LIII. The Brokers of *Galata* and *Conſtantinople* ſhall take their Fee of Brokage, according to the antient Cuſtom and Table of Fees, for all Merchandize which the *Engliſh* Merchants ſhall bring to *Conſtantinople*, or any other Port whatever of our Dominions, or carry from thence to any other Place; that is to ſay, they ſhall only take the Fee of Brokage for thoſe Merchandizes, which have been accuſtom'd to pay it by antient Uſage: but as to the Merchandize which had not been us'd to pay it antiently, they ſhall take no Fee contrary to the antient Table, nor ſhall they lay or levy any Impoſition upon *Engliſh* Merchandize, nor take ſo much as an Aſper from the

the *Engliſh* Nation, contrary to the antient Table of Fees and common Cuſtom.

LIV. The *Engliſh* Merchants may freely come to all the Ports of our Dominions to trade, and to import Woollen-Cloth, Kerſeys, Spices, Pewter, Lead, and all other Merchandize, and no body ſhall give them any trouble or hindrance. They may alſo buy and export all ſorts of Merchandize, except what is prohibited, without Hindrance or Moleſtation; and after they have paid the Cuſtoms conformably to the preſent Imperial Capitulation and antient Uſage, the Commiſſioners of the Cuſtoms and other Officers ſhall demand nothing more.

In the time of the Sultan *Amurath Han*, my Uncle of happy Memory, the King of *England* ſent Sir *Sackville Crow*, in quality of his Ambaſſador, with his Preſent and Letters, which were very well receiv'd; and when the time of his Embaſſy was expir'd, Sir *Thomas Bendiſh* arriv'd at the *Porte*, to reſide there, bringing his Preſent and obliging Letters, which were likewiſe very well receiv'd: and the ſaid Ambaſſadors having preſented the Imperial Capitulations which had been formerly granted, and deſired that they might be renew'd according to antient Cuſtom, it is again order'd by theſe Preſents that all the Points and Articles which they contain, be kept and obſerv'd.

LV. And becauſe that contrary to the Tenor and Meaning of theſe Preſents, ſeveral Officers went on board the Ships of the *Engliſh* Merchants before they came into Port, and by main force took the Merchants Goods and Commoditys out of the ſaid Ships, and carry'd away the beſt part thereof, without agreeing in the Price, or coming to any Accompt with the Owners.

LVI. And moreover, foraſmuch as when the ſaid Merchants had paid the Cuſtom-houſe Dutys for their Goods, and were going to tranſport them to another Harbour, the Cuſtom-houſe Officers hinder'd them, and ſtopp'd them till they had receiv'd a ſecond Payment for them.

LVII. And whereas 'tis expreſly ſtipulated in the Imperial Capitulations, that in all Diſputes and Law-ſuits with the *Engliſh* Nation, our Magiſtrates ought not to hear nor determine a Cauſe, unleſs the Ambaſſador or Conſul be preſent, our Judges lately condemn'd and impriſon'd the *Engliſh*, and have taken and receiv'd Preſents without the knowledge of their Ambaſſador, which is a great Injury done to them.

LVIII. And

LVIII. And alſo, forasmuch as it is order'd by the Imperial Capitulations, that the Officers of the Cuſtoms ſhall take no Dutys for Gold and Silver Coin, which the *Engliſh* Nation ſhall import into our Dominions, or export from hence to any other Place, and that the Merchants ſhall only pay three *per Cent.* Cuſtom for their Merchandize and no more; nevertheleſs the Officers of the Cuſtoms demand Dutys for their Sequins and Crowns of Silver, and exact more than is their due for the raw Silks which they buy: And whereas they demand ſix *per Cent.* for the Merchandize they land at *Scanderoon* to carry to *Aleppo*; which unjuſt Exactions have been formerly rectify'd and reform'd by an expreſs Hatter-Sheriffe (or Imperial Signature;) and being again inform'd that the *Engliſh* Merchants are ſtill wrong'd as heretofore, by reaſon the Officers of the Cuſtoms value and appraiſe the Goods of the *Engliſh* Merchants at a higher Price than they are worth, and tho the ſaid Officers of the Cuſtoms ought to have but three *per Cent.* yet by ſuch exorbitant Valuation of the Goods they take ſix *per Cent.* and the Servants at the Cuſtom-houſe illegally exact great Sums from them, under pretence of certain Perquiſites and Expences: And whereas a greater number of Viſitors or Waiters are now put on board the *Engliſh* Ships than uſual heretofore, which is a great Burden upon the Merchants and Maſters of the Ships who ſubſiſt them; all which things we have been deſir'd to remedy. We therefore command, that when the Officers of the Cuſtoms value the Merchandize at too high a Price, and the Merchants offer them to pay the Dutys thereof at the rate of three *per Cent.* in ſome Specie of thoſe Merchandizes, the Officers of the Cuſtoms ſhall not refuſe them, but be oblig'd to accept them. And the Ambaſſador of *England* having deſir'd of us that the Abuſes and Injuries aforeſaid may be redreſs'd, we order that in the Circumſtances premis'd, the *Engliſh* Merchants may in no degree be moleſted, nor their Privileges unjuſtly violated, in prejudice and contradiction to the Imperial Capitulations. Sir *Heneage Finch* Earl of *Winchelſea*, Viſcount of *Maidſtone*, Baron *Fitzherbert* of *Eaſtwell*, Lord of the Royal Manour of *Wye*, and Lord Lieutenant of the County of *Kent* and City of *Canterbury*, Ambaſſador from the King of *England*, (to whom we wiſh happy days to his Life's end) arriv'd with his Preſents and Letters, which with the utmoſt Sincerity

cerity and Affection expreſs'd a good Friendſhip and Correſpondence; and the ſaid Ambaſſador preſented the Capitulations, to the end that they might be renew'd according to Cuſtom: and in order that ſome Articles of great importance which were before in the Capitulations might be more punctually obſerv'd, the ſaid Ambaſſador deſiring that they might again be renew'd, and more clearly expreſs'd in the Imperial Capitulations, his Requeſt was favourably receiv'd. One of the Articles is this that follows.

LIX. The Galleys and other Ships of the Imperial Navy, which ſet out from the Dominions of the *Grand Signior*, and meet the Ships of *England* at Sea, ſhall not moleſt them nor retard them in their Voyage, nor ſhall take any thing whatſoever from them, but a good Friendſhip ſhall always be demonſtrated on both ſides without doing each other the leaſt Damage: and this being accordingly declared in the Imperial Capitulations, the Beys and Captains who ſail upon the High Seas, and thoſe of *Algier*, *Tunis* and *Tripoli*, that meet with *Engliſh* Ships ſailing from one Port to another, ſhall not take away any of their Money or Goods, on pretence that they have Goods of the Enemy on board, nor ſearch them on this occaſion, nor moleſt them, nor retard them in their Voyage; ſo that their Goods ſhall only be examin'd at the Entrance of Forts, and in the Harbours where the Waiters belonging to the Cuſtoms are us'd to go on board; and when they are out at Sea, they ſhall not be liable to any farther Search or Inquiry.

LX. After the Cuſtom is paid for the Merchandize of the *Engliſh* Nation, they ſhall not be moleſted, contrary to the Tenour of the Imperial Capitulations; and the Officers of the Cuſtoms ſhall not refuſe the Bill or Certificate declaring that the Cuſtoms are paid: and in caſe any Complaint be made upon this Head, we expreſly command the ſaid Officers to deliver the ſaid Bill or Certificate, immediately as ſoon as demanded.

LXI. And after the Cuſtoms are paid for any ſort of Merchandize, which has not been ſold in the Port where the Cuſtoms were paid, and is deſign'd to be carry'd to ſome other Port, entire Credit ſhall be given to the ſaid Certificate, and an Attempt ſhall not be made to oblige them to pay the Cuſtoms a ſecond time.

LXII. The *Engliſh* Merchants and their Servants may

freely trade at *Aleppo*, *Cairo*, or any other Ports of the Imperial Dominions, without paying more than Three *per Cent.* for all their Commoditys and Merchandize, according to antient Cuſtom, and the Imperial Capitulations, whether they are brought by Sea or Land: and tho the Officers and Farmers of the Cuſtoms at the arrival of Goods in Port, and for the ſake of giving Trouble to the *Engliſh* Nation, pretend that only the Commodities of the Growth and Manufacture of *England* are excus'd from paying more than Three *per Cent.* but that the Merchandizes which come from *Venice* and other places are oblig'd to pay more, and upon this Pretence and Demand offer to create Law-Suits againſt the *Engliſh*, and to give them Trouble, the Imperial Capitulations ſhall therefore be obſerv'd in this Article as they were in Time paſt, and our Officers ſhall by no means permit the contrary.

LXIII. In caſe an *Engliſhman* runs into Debt, or becomes Surety for another that turns Bankrupt, or abſconds, the Debt ſhall be demanded of the Debtor; and if the Creditor has no Deed to prove that ſuch a one became Pledge and Surety according to Law, the Debt ſhall not be demanded of another: which Article is already declared in the Capitulations.

LXIV. Since it ſometimes happens that an *Engliſhman* living in one Country, in order to put off the Payment of a Debt, draws a Bill of Exchange upon another *Engliſhman* who has no Effects of his in his hands, and the Perſon to whom the Money is payable, being a Man of Power and Authority, brings his Bill of Exchange, and in defiance of the Law and the Capitulations demands and uſes forcible methods to get the Bill of Exchange paid; in that caſe the Merchant accepting the Bill of Exchange ſhall be oblig'd to pay it, but if he does not accept it he ſhall not be liable to any Trouble for the ſame.

LXV. And foraſmuch as the Interpreters of the Ambaſſadors of *England* are exempt from all perſonal Service or Taxes by the Articles declared in the Capitulations, in caſe that the ſaid Interpreters happen to die, their Eſtates or Effects ſhall not be ſubject to the Cuſtoms, but ſhall be ſhar'd between the Creditors and the Heirs.

LXVI. And foraſmuch as the King of *England* is a true Friend of our happy *Porte*, his Ambaſſador reſiding here ſhall be permitted to have ten Servants of any Nation

tion whatſoever, who ſhall be exempt from Harach or Taxes, and from all Moleſtation whatſoever.

LXVII. In caſe that an *Engliſhman* ſhall turn *Mahometan*, and has in his Hands Goods and Effects belonging to his Superiors, ſuch Goods and Effects ſhall be put into the Hands of the Ambaſſador or Conſul, to the end that they may be kept, and made good to the True Owners.

Laſtly, the King of *England*'s Ambaſſador, who reſided at our High *Porte*, departing this Life, Sir *John Finch*, a prudent Gentleman, who was a Commiſſioner of Trade, was nam'd to ſucceed him in the Embaſſy; and upon Advice brought to us that the ſaid Ambaſſador was arriv'd with the King's Letters and the uſual Preſents, they were very acceptable to us: and the ſaid Ambaſſador having convinc'd us that there were ſuch ambiguous Expreſſions in the Capitulations which had been granted before, that they required a fuller Explanation, and having for this end deſir'd us in the name of the King his Maſter that the Capitulations might be renew'd, and that the Explanations and neceſſary Articles might be added to them, when the Requeſt of the ſaid Ambaſſador was communicated to us, we gave our Conſent to it, and we do command, and it is hereby commanded, that the Additions requir'd be added to the foregoing Capitulations, and they are as follow.

I. The Niſani Sheriff (*i. e.*) the Imperial Mandate, which *Anno* 1653 was ſeal'd by the Hatter Sheriff (*i. e.*) the Seal of the Emperor Sultan *Ibrahim Han*, (to whoſe Soul be Reſt in Glory) which Mandate declares that formerly the *Engliſh* Ships, which came from *Scanderoon*, paid for every Piece of Woollen Cloth from *London*, for the Cuſtoms at *Scanderoon* 40 Paras; and for every Piece of Kerſey 6 Paras; and for every Parcel of Coney 6 Paras; and for every Quintal of Damask 57 Paras ½: which Merchandizes arriving afterwards at *Aleppo* paid there as Cuſtoms, for every Piece of Cloth from *London* 8 Paras; for every Piece of Kerſey 8 Paras ⅛; for every Battman of *Aleppo* of Pewter and Lead one Para: and thoſe of the ſame Nation who bought and exported Goods, paid for all that they bought at *Aleppo*, and tranſported elſewhere, two Crowns ½ of Silver for every Bale

of Flax or Chilis, Cordovan Leather and Horoſani Hindi; and for every Bale of raw Cotton a Crown ¼; and for every Bale of Nut-Galls ¼ of a Crown; and for every Bale of Silk 10 Oſinani (14 of which make a Crown of Silver) and for every hundred weight of Rhubarb and the like Drugs, three Silver Crowns, according to the Valuation of the principal Druggiſt: and when the ſaid Commoditys were carry'd to *Scanderoon*, and there put on board their Ships, they paid for Flax or Chilis and for Cordovans, each a Crown and half for the Cuſtoms of *Scanderoon*; for Horoſani Hindi and raw Cotton ¼ of a Crown *per* Bale; for a Bale of Nut Galls ¼ of a Crown; for Rhubarb and the like Drugs, according to the Valuation of the Druggiſts, ¾ of a Crown *per* Bale; and according to this ſublime Command nothing more is to be paid: and in caſe that the Teſterdar iſſue any Command contrary to this, it ſhall not be obey'd, but reputed of no Value; and all things ſhall be obſerv'd conformably to this Imperial Command and the Imperial Capitulations.

II. For all Merchandize which the *Engliſh* Merchants ſhall import or export, they ſhall pay only Three *per Cent.* and never ſo much as an Aſper more, it being ſo ſpecify'd in the Imperial Capitulations. But there having been Diſputes and Differences at *Conſtantinople* and *Galata* with the Officers of the Cuſtoms about Woollen Cloths imported from *London*, and other ſorts of the Woollen Manufacture of *England*, they ſhall pay according to the antient Tariff, and as they have always paid hitherto; that is to ſay, in Aſpers or ſmall Money, fourſcore of which Aſpers make a Piece of 8, and 70 a Crown of *Lyons*, 144 Aſpers for every Piece of Woollen Cloth of the Manufacture of *England*, whether the Cloths are fine or coarſe, or of what Price ſoever: and the Officers of the Cuſtoms ſhall not take or demand more. But the Woollen Cloths which come from *Holland* and other Countrys, that is to ſay, Londrins, Silks and Scarlets, and all other ſorts of Woollen Cloths, which are not of the Manufacture of *England*, ſhall hereafter pay the Dutys which they have been accuſtomed to pay hitherto: and at *Smyrna* they ſhall pay according to the antient Cuſtom and Uſage, in Aſpers or ſmall Money, of which fourſcore make a Piece of Eight, and ſeventy a *Lyons* Crown, ſix ſcore Aſpers for every piece of *Engliſh* Cloth fine or coarſe,

coarſe, whether they be Cloths of *London* or not; provided they are of the Manufacture of *England*: and the Officers of the Cuſtoms ſhall not take nor demand an Aſper more; nor ſhall any Innovation be made in the Cuſtoms for ſuch Cloths.

III. The Capitulations which order that when the *Engliſh* have a Controverſy amounting in value to above 4000 Aſpers, the Cauſe ſhall be try'd and determin'd by the *Porte*, and no where elſe, being publick and notorious; if it happen at any time whatſoever that the Cadi or Miniſters of any Place offer to detain any Merchant, or hinder any *Engliſhman* that ſhall be on board a Ship from purſuing his Voyage, on pretence of any Sum impos'd upon the *Engliſh*, or demanded of them, if the Conſul of the Place will be Surety to anſwer to the *Porte* for the Pretenſions enter'd againſt them, ſuch Perſons ſhall have full and entire Liberty to proceed on their Voyage, and they who take any thing from them ſhall be oblig'd to appear before the *Divan*, to procure Judgment on the Difference between the Partys, and the Ambaſſador ſhall anſwer to their Queſtions. But in caſe that the Conſul will not be Surety, the Judge of the Place may be Judge and give Sentence on the Fact in queſtion.

IV. All *Engliſh* Ships that ſhall arrive at *Conſtantinople*, *Scanderoon*, *Smyrna*, *Cyprus*, and all other Ports of my Empire, ſhall pay 300 Aſpers for the Duty of Anchorage, and not an Aſper more.

V. If an *Engliſhman* arriving with his Effects turn Muſſulman, the Ambaſſador or Conſul knowing that his Effects belong to other *Engliſh* Merchants, all the Money and other Effects ſhall be taken out of the Hands of the Muſſulman, and be conſign'd over to the Ambaſſador, to keep for thoſe Perſons to whom they belong, and to the end that by this means the Effects of another Man may not remain in the Hands of the Muſſulman; and neither ſhall any Cadi nor any other Judges or Miniſters hinder it.

VI. The Merchants of the ſaid *Engliſh* Nation who have bought Camlets, Mohairs, or coarſe Stuffs, at *Angora*, or *Begbazar*, and have a mind to export them to other Places, after having paid Three *per Cent.* Cuſtoms, ſhall not be moleſted for the Skraz-bath, that is to ſay, for the Paſſage or Tranſportation thereof to other Places;

and they ſhall not pay a ſingle Aſper for any Demand of this nature.

VII. When the *Engliſh* Merchants receive any Sum of Money of their Debtors, if the Debt is paid by the Mediation or Interceſſion of any Aſſiſtant or Chiaoux, the Perſon who receives the Debt ſhall not pay more than what is paid to the other Cadis, which is but two Aſpers, and not a ſingle Aſper more.

VIII. As there is a good Correſpondence betwixt us and the King of *England*, in conſideration of this Friendſhip we grant and permit, that two Ship-loads of Figs and Currants may be exported out of our Dominions for the Uſe of his Majeſty's Kitchen; provided there be not a Scarcity of thoſe Fruits in the Country: which Fruits we permit the *Engliſh* to buy for their Money in the Port of *Smyrna*, *Salonica*, or any other Port whatſoever of our Empire, paying Three *per Cent.* for the Cuſtoms, which when paid no Perſon ſhall give thoſe concern'd in the Freight any Trouble or Hindrance.

IX. It having been repreſented to us that the *Engliſh* have hitherto paid no Cuſtoms, nor the Duty call'd Mezan, for all the Silks which they buy at *Smyrna*, except thoſe of *Perſia* and *Armenia*, that is to ſay, for the Silks of *Georgia*, *Perſia* or *Armenia*; in caſe there be really ſuch Uſage and Cuſtom, and that it be not prejudicial to the Empire, no Duty or Mezan ſhall hereafter be demanded at *Smyrna* for the ſaid Silks, but the *Engliſh* ſhall be treated there with all the Tokens of Friendſhip. And upon the Inſtance made to us by the Ambaſſador that the foregoing Articles may be inſerted in the Capitulations, his Demand is granted; and in conformity to the abovemention'd Imperial Sign Manual and Capitulation, we command that the preſent Capitulation be now renew'd and granted, in purſuance of what has paſs'd, and of my Imperial Command: and that as long as *Charles* the Second King of *England*, (whoſe Days we wiſh may be crown'd with Happineſs) ſhall maintain a good Friendſhip and Correſpondence with us, agreeably to that which was kept up with our Anceſtors, we will not fail on our part to preſerve that Friendſhip with all the Tenderneſs poſſible.

And we ſwear and promiſe by Him who created Heaven and Earth and all Creatures, we promiſe by the one only God the Creator, that nothing ſhall be acted contrary to this preſent Imperial Capitulation; and by conſequence

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our Imperial Sign Manual challenges universal Obedience. Given in the middle of the Month *Gamaziel Akir*, 1086, at the Imperial City of *Adrianople*, which answers to the Month of *September* 1675.

The Grand Signior wrote at the top with his own Hand what follows.

May every Article be observ'd in conformity to our Imperial Command, and may nothing be done to contravene it.

Treaty of Peace and Alliance between Charles II. *King of* Great Britain, *and ſome Kings and Queens of Northern* America, *Neighbours to the* Engliſh *Colony of* Virginia, *viz. the Queen of* Pamunkey, *the Queen of* Waonoke, *the King of the* Hottoways, *and the King of* Naneymonde; *by which they all own themſelves Dependents and Tributarys to the Crown of* England, *and promiſe each to give* K. Charles *every Year three* Indian *Arrows as a token of their Subjection. Concluded at the* Engliſh *Camp in the* Middle Plantation, *the* 29th *of* May, 1677. *With a Memorial of the Solemnity obſerv'd at the Signing of this Treaty, and of the Excluſion of* Pericuhtah *King of the* Appomatucks.

ARTICLES of Peace between the moſt Mighty Prince and our Dread Sovereign Lord *Charles* the Second, by the Grace of God King of *Great Britain*, *France* and *Ireland*, Defender of the Faith, *&c.* and ſeveral Kings and Queens in the *Indies*, who have approv'd

prov'd and ſign'd them. Done and concluded in the Camp at the Place call'd in *Engliſh* the *Middle Plantation*, on the 29th day of *May* 1677. which is the day of the moſt happy Birth of our ſaid Sovereign Lord, and in the 29th Year of his Majeſty's Reign, by the moſt Honourable *Herbert Jefferies* Eſq; Lieutenant Governor of his Majeſty's Colony of *Virginia*; where were preſent the Honourable Sir *John Berry* Kt. and *Francis Moriſon* Eſq; Commiſſioners of his moſt Sacred Majeſty, appointed by Letters Patent under the great Seal of *England*, for the Affairs of *Virginia*, and the Honourable the Council of State of the ſaid Colony.

Whereas his moſt Sacred Majeſty hath of his Royal Grace and his own Motion confided in my Care and Application, for the renewing, negotiating, and concluding a good Peace with the *Indians* who are our Neighbours; with this view and for this end (by the Advice and Aſſiſtance of the Honourable Sir *John Berry* Kt. and *Francis Moriſon* Eſq;) I have prepar'd the following Articles and Overtures for the firm Foundation and ſure Eſtabliſhment of a good and juſt Peace with the ſaid *Indians*: and to the end that it may be ſure and laſting (founded upon the ſtrong Pillars of reciprocal Juſtice) by confirming them in their juſt Rights, and redreſſing the Wrongs and Damages that have been done them, and alſo that by this means the great Almighty God (who is a God of Peace and Lover of Juſtice) may maintain and proſper our Alliance and mutual Friendſhip, we have by theſe Preſents agreed on the following Articles.

I. That the Kings and Queens in the *Indies* ſhall hereafter, when they pay their Tribute to his Majeſty's Governor for the time being, acknowledge that they owe their immediate Dependence, and all manner of Subjection to the great King of *England*, who is now our Dread Sovereign, his Heirs and Succeſſors.

II. That the ſaid Kings and Queens in the *Indies*, and their Subjects, ſhall hold their Lands by that Tenure, which ſhall be confirm'd to them and their Poſterity by Letters Patent under the great Seal of this his Majeſty's Colony, without being charg'd with any Dutys, Gratifications or Acknowledgments for the ſaid Lands, in the ſame manner and with as much Freedom and Security as his Majeſty's other Subjects have and hold their Lands

and Goods, only paying three *Indian* Arrows every Year for the ſaid Lands, for and inſtead of Rent-Service.

III. That all the *Indians* who are in Amity with us, and have not Lands ſufficient for Plantations, be immediately provided for upon notice given; and that they be never diſturb'd in the poſſeſſion of the Lands that ſhall be granted and confirm'd to them as abovemention'd ſo long as they hold them; and that they ſhall keep and preſerve due Obedience and Subjection to his Majeſty, his Governor, and his Government, and Friendſhip and Good-will to the *Engliſh*.

IV. Whereas by reciprocal Diſguſts, by the Complaints, Jealouſys and Fears of the *Engliſh*, and of the *Indians*, caus'd by violent Intruſions of ſeveral *Engliſh* into their Lands, compelling the *Indians* to kill the Cattle and Swine of the *Engliſh* in revenge, by which Violences there have been Outrages and Injurys committed on both ſides, the Peace of this his Majeſty's Colony has been greatly diſturb'd, and the laſt unhappy Rebellion was by this means begun and greatly fomented, which has brought ſo much Ruin and Miſery upon this Country; for preventing, as much as we can, ſuch Injurys for the future, and the ſad Conſequences that might enſue, it has been concluded and agreed by theſe Preſents, That no *Engliſhman* ſhall ſow or plant more than three Miles of any *Indian* Town; and whoſoever has made or ſhall make any Uſurpation upon the Lands of the *Indians* ſhall be expell'd and proſecuted, as it is provided and enjoin'd by the preſent Treaty of Peace, which was made when the Honourable *Francis Moriſon* was Governor, and by the Act of Aſſembly founded on the ſaid Treaty.

V. That the ſaid *Indians* ſhall be duly protected and defended in their Perſons, Eſtates and Privileges, againſt all Wrongs and Injuries from the *Engliſh*; and that upon any Rupture or Contravention which ſhall happen, the *Indians* who are male-treated ſhall firſt of all withdraw to the Governor, and addreſs themſelves to him to inform him of it, without inconſiderately or raſhly proceeding to any Act of Hoſtility for the ſake of Satisfaction: and thoſe who purpoſely and deliberately contravene theſe Preſents, ſhall incur ſuch Puniſhment as the Laws of *England* or this Country command, and in the ſame manner as if any Wrong or Injury had been done to any *Engliſhman*; which is no more than what is juſt and reaſonable, becauſe

becauſe they themſelves own their Allegiance to his moſt Sacred Majeſty.

VI. That no King or Queen in the *Indies* ſhall be committed to Priſon, without a ſpecial Writ from his Majeſty's Governor, and two Members of the Council; and that no other *Indian* ſhall be impriſon'd without a Warrant from a Juſtice of the Peace, founded on ſufficient Cauſe.

VII. That the ſaid *Indians* ſhall enjoy their uſual Liberties of catching Oyſters, and other Fiſh, and of gathering upon the Lands of the *Engliſh* Tuchahoc, Curtenemons, wild Oats, Ruſhes, Puckoone, or any other Things whatſoever, for the Support of their Lives, for which the *Engliſh* have no Uſe. Provided always, that they go in the firſt place to ſome publick Magiſtrate of good Reputation, and inform him of their Number and Buſineſs; and he ſhall not refuſe them a Certificate upon this nor any other lawful Occaſion, ſo that they make a juſt Report when they return, and go directly about their own Affairs, without carrying any ſort of Arms, and without lodging ſo much as one Night in the Houſe of any *Engliſhman.*

VIII. That no foreign *Indian* ſhall be permitted to come to any *Engliſh* Settlement, unleſs he bring with him ſome honeſt *Indian* in the Neighbourhood with ſuch Certificate as aforeſaid; and no *Indian* King ſhall refuſe to ſend a ſafe Conduct to the Foreigner, if he comes upon any lawful Occaſion; and that no *Indians* ſhall paint or diſguiſe themſelves when they come..

IX. That all the Kings and Queens in the *Indies* who are Tributary to the *Engliſh*, when they know of any March of foreign *Indians* near the Quarters or Settlements of the *Engliſh*, ſhall repair immediately to ſome one of the neareſt Officers of the Militia, and inform him of their Nation, Number and Deſign, and of their Route.

X. That if it be neceſſary, a ſufficient number of Men ſhall be immediately detach'd, and ſent by the neareſt Colonel of the Militia, to aſſiſt, fortify and join the *Indians* who are our Friends, againſt any Attack, Incurſion or Depredation, upon the *Indian* Towns.

XI. That every *Indian* fit to bear Arms, of the neighbouring Nations that are at Peace with us, ſhall be furniſh'd with ſuch a quantity of Powder and Ball, as the moſt Honourable the Governour ſhall judge ſufficient for any Occaſion; and that there ſhall be ſuch a number of

Indians

Indians ready to go with our Troops upon a March againſt the Enemy, and that they ſhall receive ſuch Pay for their good Services, as he ſhall think proper.

XII. That each King and Queen in the *Indies* ſhall have equal Power of governing their People, and no one ſhall have greater Authority than another, except the Queen of *Pamunkey*, to whom ſeveral diſpers'd Nations do again acknowledge they have ow'd Allegiance time out of mind, and have agreed to come and ſettle under her Power and Government; which Nations are alſo by theſe Preſents included with her in the preſent Treaty of Peace, and are to keep and obſerve the ſame Conduct to the ſaid Queen in all things as her Subjects, as well as to the *Engliſh*.

XIII. That no body ſhall keep or maintain any *Indian* of the *Engliſh* Neighbourhood, as a Servant or otherwiſe, without the permiſſion of the Governor; and that he ſhall give Bond to be anſwerable for all Injurys and Damages that ſhall be done to any of the *Engliſh*.

XIV. That no *Engliſhman* ſhall lodge or receive any *Indian* Vagabond or Fugitive, but be oblig'd to ſend him to the place of his Reſidence, by a Paſs from one Juſtice to another, till he come to his own Town, on the penalty of paying as much *per* Day for having lodg'd him, as can be recover'd by the Law againſt maintaining Vagabonds.

XV. That none of the *Indians* in Amity with us, ſhall ſerve longer than the *Engliſh* of the ſame Age ſerve by the Act of Aſſembly, nor ſhall be ſold for a Slave.

XVI. That each King and Queen in the *Indies* ſhall come every Year in the Month of *March*, with ſome of the chief Men of their Nation, to pay their Obedience to his Majeſty's moſt Honourable Governor at the place of his Reſidence, whereſoever it be; and then and there ſhall pay the cuſtomary Tribute of twenty Bevers Skins to the Governor, as alſo their Rent-Service abovemention'd, as a token of the Acknowledgment which they owe to the Great King of *England* for their Crowns and Territorys.

XVII. That the neceſſary Care ſhall be taken that the Kings and Queens in the *Indies*, the principal Men of their Nation, and thoſe of their Retinue, who come on publick Buſineſs to the moſt Honourable the Governor, the Council, or the Aſſembly, be furniſh'd with Proviſions and Lodgings at the publick Expence; and that no *Engliſh*

Subject ſhall do them any Wrong or Injury, nor inſult or affront them in word or deed.

XVIII. That if any Miſunderſtanding or Breach of the Peace happen between any of the *Indians* in Friendſhip with the *Engliſh*, as ſoon as it appears and breaks out, and before they enter into any Act of Hoſtility or open War with one another, they ſhall apply to his Majeſty's Governor; from whoſe Juſtice and Prudence it may be hop'd ſuch Differences may be reconcil'd and appeas'd, and to whoſe final Deciſion the ſaid *Indians* ſhall ſubmit and conform themſelves.

XIX. That in order to prevent the frequent Accidents and Miſtakes occaſion'd by falſe and corrupt Interpreters, and for the greater Security, Advantage and Satisfaction, both of the *Indians* and the *Engliſh*, one of each Nation of the *Indians* of our Neighbourhood, who can already ſpeak, or may become capable of ſpeaking *Engliſh*, ſhall be admitted jointly with thoſe of the *Engliſh* to be their Interpreters.

XX. That the *Indians* included in this Treaty of Peace ſhall immediately reſtore to the Parents and Proprietors, their Children, Servants and Horſes, taken from them and carry'd off at ſundry times, and which ſtill remain in the Hands of the ſaid *Indians*, or of others that can be diſcover'd.

That the Traffick with the ſaid *Indians* ſhall be continued, limited, reſtrain'd, or kept open, as ſhall be moſt convenient for the Peace and Tranquillity of the Country; as to which the Governor ſhall conſult the Council and Aſſembly, at whoſe firſt Meeting the Affair ſhall be determin'd.

The ⊙ Seal of the Queen of *PAMUNKEY*, as well for herſelf as for the ſeveral *Indian* Nations under her Government.
The ⊙ Seal of the Queen of *WAONOKE*.
The ⊙ Seal of the King of the *HOTTOWAYS*.
The ⊙ Seal of the *Indian* King of *NANEYMONDE*.
The VW Seal of Captain *John Woſt*, Son of the Queen of *Pamunkey*.

Compar'd with the Original.
Witneſs, *Thomas Ludwell*, Secretary.

Memo-

Memorial of the 29th of May, 1677.

THAT this Inſtrument of Peace having been read and explain'd to ſeveral Kings and Queens of the *Indies* then preſent (at the Court call'd in *Engliſh*, the *Middle Plantation*) by Interpreters who had taken an Oath to be true to their Truſt, the ſaid Kings and Queens of the *Indies* ſign'd and deliver'd the Articles thereof to the Honourable the Governor, on their Knees, and receiv'd Duplicates ſign'd and deliver'd on the part of the King's Majeſty, in the ſame poſture of Genuflection, kiſſing the Paper of their own accord, as they paſs'd it from one to the other, till every one had paid the ſame Tokens of Reſpect, as a Mark of their moſt frank and joyful Acceptance of this Peace concluded with them. At the ſame time *Pericuhtah* King of the *Appomatucks* being then preſent, earneſtly deſired that he might be admitted to ſign the ſaid Treaty of Peace with the others; but as it was ſuſpected that either he or his Subjects had committed ſome Maſſacres on his Majeſty's *Engliſh* Subjects, of which Complaints had been made againſt him, he was not at that time admitted nor included in the ſaid Treaty of Peace, nor is he to enjoy the benefit of the ſaid Treaty, till he has acquitted himſelf of the Crime laid to his Charge, and which he is accus'd of having perpetrated ſince his Majeſty's Commiſſioners arriv'd in *Virginia*, according to Information given by Perſons of Credit; which Excluſion gave a general Satisfaction to the *Engliſh*, who were pleas'd to find ſo juſt an Inquiry made after thoſe who had ſpilt the Blood of their murdered Countrymen.

JOHN BERRY.
FRANCIS MORISON.

Treaty

Treaty between Charles II. *King of* England *and the High and Mighty States General of the* United Netherlands, *for promoting a Peace between the* French *and the* Spaniards, *and others at War, on certain Covenants and Conditions tending to the univerſal Benefit of* Chriſtendom. *Done at the* Hague, *the* 31ſt *of* December, 1677, *O. S. and the* 10th *of* January, 1678, *N. S. With a Declaration and Explanation of the firſt Article, relating to the Places that were to be reſtor'd by the* French *to the* Spaniards. *At the* Hague, *the Day and Year abovemention'd. Which is follow'd by a Separate Article of the ſame Date, concerning the Reſtoration of the Duke of* Lorrain *to the Duchy of that Name.*

THE moſt Serene and moſt Potent Prince and Lord *Charles* the Second, King of *Great Britain*, ſeriouſly conſidering the moſt deplorable State of *Chriſtendom*, and the great and urgent Neceſſity that there ſhou'd be a Union of Councils for ſtopping the farther Progreſs of a ruinous War, which has ſpread Deſtruction far and wide, and which at this day miſerably threatens

almoſt all *Europe*; and conſidering alſo with himſelf how little three Years careful and earneſt Endeavours by way of Mediation have hitherto avail'd to procure a General Peace, he has at length thought it neceſſary to have recourſe to methods of greater Efficacy; and for that end to enter into ſuch a ſtrict League with the High and Mighty Lords the States General of the *United Netherlands*, as might actually determine the two neighbouring Kings to conſent to a Peace, on ſuch Conditions and Covenants as might contribute to the univerſal Good of *Chriſtendom*, and eſpecially in the Reſtoration and Eſtabliſhment of the *Netherlands*, the Security of which without any diſmembring is a matter of very great Moment, both to his Majeſty and the States aforeſaid: And for this end we the underwritten according to the full Powers committed to us have in the name and on the behalf of the ſaid Lord the King and the ſaid States General, from whom we are reſpectively deputed, agreed on the Articles that follow.

I. That the ſaid King of *Great Britain*, and the ſaid States General of the *United Netherlands* ſhall mutually aſſiſt and defend one another to the utmoſt of their Power, in caſes wherein they have particularly agreed heretofore, to the end that the two neighbouring Kings may conſent to a general Peace, on the Conditions that follow.

As for what belongs to *France* and *Spain*, the Towns and Places call'd *Charleroy*, *Aeth*, *Audenard*, *Courtray*, *Tournay*, *Conde*, *Valenciennes*, and the Abbey of *St. Gillain*, ſhall be reſtor'd to the Catholick King, together with the other Places which the *French* ſhall at any time hereafter take poſſeſſion of in the *Netherlands*. The County of *Burgundy* ſhall remain in the Power of the *French*. They ſhall likewiſe reſtore all thoſe Towns and Places which the *French* do now, or ſhall hereafter poſſeſs in the Kingdom of *Sicily*.

As to *France* and the *United Netherlands*, all Places in *Europe* ſhall be reſtor'd on both ſides.

And foraſmuch as thoſe Points which the Ambaſſador Extraordinary of the King of *Great Britain* has in command, concerning the Articles of Peace with reſpect to the Emperor and Empire, are not ſo clearly expreſs'd that they can be wholly finiſh'd at this time, nor indeed are they of ſufficient importance to retard this Treaty,

the

the ſaid Lord Ambaſſador has undertaken and does undertake to be better acquainted with the King's Intention in that matter; and the underwritten have promiſed, and do promiſe, that the ſaid Lord the King, and the ſaid Lords the States will perform what ſhall be thought conſiſtent with right Reaſon, Juſtice and Equity, in the Affair betwixt his Majeſty and the ſaid States, conſidering the League that there is between the Emperor and the States.

As to the Duke of *Lorrain*, the Duchy of *Lorrain* ſhall be reſtor'd to him.

As to *Sweden*, there ſhall be a Ceſſation of Arms till ſuch time as the ſeveral Articles of Peace are agreed to.

II. For this end the aforeſaid King of *Great Britain* ſhall immediately uſe all his Care and Induſtry with the moſt Chriſtian King, that he may engage and promiſe that he will conſent and agree to a Peace in the beſt and moſt legal Form, by a ſolemn Treaty, on the Conditions aforeſaid, without any Exception or Diſpenſation on any Pretext or Cauſe whatſoever, if the Catholick King can be induc'd and perſuaded by the ſaid King of *Great Britain* to conſent to the ſame Conditions likewiſe on his part.

III. Afterwards the ſaid King of *Great Britain* ſhall exert himſelf with the like Care and Induſtry to perſuade the moſt Chriſtian King to conſent to a Ceſſation of Arms for three Months, that in the mean time the ſaid King of *Great Britain* may with all Induſtry and Diligence uſe his utmoſt endeavour with the Catholick King to gain his Conſent to the aforeſaid Conditions.

IV. And that the moſt Chriſtian King may have no juſt reaſon to refuſe the ſaid Armiſtice, the King of *Great Britain* binds himſelf by the ſaid Treaty, that he will engage the Catholick King to conſent to the Terms aforeſaid.

V. That the moſt Chriſtian King ſhall be induc'd and perſuaded by the King of *Great Britain* to place entire Credit and Confidence in the ſaid Promiſe; and that afterwards there ſhall be an entire Ceſſation of his Arms in the *Netherlands*, in ſuch manner, that if contrary to all Hope and Expectation, the King of *Great Britain* cannot by Exhortations and Intreatys prevail on the ſaid Catholick King to conſent to the Conditions abovemention'd within

within the Space of three Months; and tho it ſhou'd afterwards be neceſſary to have recourſe to Methods more effectual, nevertheleſs the moſt Chriſtian King ſhall not continue or carry on the War within the Limits of the ſaid *Low-Countrys*, but the King of *Great Britain* ſhall bind himſelf, and take upon himſelf, to ſupply what ſhall be neceſſary, that the Catholick King may be actually bound to accept of Peace on the Terms aforeſaid: and therefore it ſhall not be free for the moſt Chriſtian King to exerciſe any Acts of Hoſtility in the ſaid Countrys, nor to take poſſeſſion of any Town, altho it ſhou'd be willing to ſurrender of its own accord, unleſs the King of *Great Britain* ceaſes and omits to do what is premis'd.

VI. 'Tis moreover agreed and concluded, that in the Treaty to be enter'd into as aforeſaid, between the King of *Great Britain* and the moſt Chriſtian King, the ſaid Lords the *States General* ſhall be bound jointly with the ſaid Lord the King, for all and ſingular the Things which the King of *Great Britain* ſhall in any manner happen to be engag'd in to the moſt Chriſtian King; and in ſuch caſe they declare themſelves bound by theſe Preſents in the ſame manner, as if they had been actually preſent at the ſaid Treaty and had ſign'd it.

VII. In like manner the ſaid Lord the King and the ſaid States ſhall the ſame time jointly or ſeparately, as ſhall ſeem moſt convenient, apply themſelves earneſtly and ſtrenuouſly to ſollicit the Catholick King, that he wou'd likewiſe be pleaſed to conſent to the aforeſaid Articles of Peace.

VIII. And if the ſaid moſt Chriſtian King ſhall finally refuſe to conſent to the ſaid Conditions, 'tis agreed, in purſuance of this League between his Majeſty and the States aforeſaid, that immediately and without farther Delay they unite their Forces, and uſe their utmoſt Endeavours, to the end that the moſt Chriſtian King may be oblig'd to conſent to the ſame Terms, according to the Counſels and Forms of that ſort mutually agreed on betwixt them.

IX. As the ſaid States General are as ſure and certain as can be, that the ſaid Catholick King will conſent to the Terms aforeſaid, they take upon themſelves, and bind themſelves jointly with the ſaid King of *Great Britain*, that they will with all the Power and Means in their hands abſolutely bring it about, that the ſaid Catholick King

King ſhall conſent to the Terms, and that there ſhall be no delay of the Peace on the part of his Majeſty.

X. When the Peace is eſtabliſh'd between the two Crowns, not only the King of *Great Britain* and the united States, but all the neighbouring Kings and Princes who ſhall think it concerns them that the Tranquillity of *Chriſtendom* remain undiſturb'd, and that Peace be reſtor'd to the *Netherlands*, ſhall in the plaineſt and ſecureſt manner be Suretys and Guarantees for preſerving the ſaid Peace; to which end the number of Forces ſhall be determin'd, as well as the other Methods to be made uſe of againſt either of the Partys which ſhall obſtruct or violate the Peace, to oblige him to remove the Injury and make amends to the other Party.

XI. But if it happen that any of the Purpoſes of the Friends in Confederacy with either Party be miſconſtrued and taken in an ill Senſe, (which God forbid) and perhaps unſeaſonable Repriſals, or even Wars ſhou'd from thence ariſe by any of the Powers now at Variance, either againſt him or them who ſhall accede to their Party, or againſt other States of the Confederates; the ſaid Lord the King and the ſaid States are ſuppos'd to be ſtrictly engag'd to each other, to ſupport all the Expences neceſſary for the mutual and vigorous Defence of their Kingdoms, Provinces, Dominions, Rights and Libertys, both by Sea and Land; nor ſhall they deſiſt from ſuch mutual Aſſiſtance of each other, till they have reſcu'd each other from Danger, and obtain'd reciprocal Satisfaction and Security.

XII. Theſe Covenants, and all and ſingular the Points therein contain'd, ſhall be confirm'd and ratify'd within four Weeks next enſuing, and ſooner, if poſſible, by the ſaid King of *Great Britain*, and by the ſaid Lords the States General of the *United Netherlands*, by the Letters Patent of both Partys, ſeal'd with their Seals in due and authentick Form and Manner; and the mutual Inſtruments of Ratification ſhall be exchang'd on both ſides within the Term aforeſaid. Done at the *Hague*, the 31ſt of *December* 1677; and upon the 10th of *Jan.* 1678, it was ſign'd and ſeal'd.

(L. S.) *A. HEYDE.*
(L. S.) *W. van HEUKELOM.*
(L. S.) *D. van WYNGARDEN.*
(L. S.) *GASPER FAGEL.*

(L. S.) *J. de MAUREGNAULT.*
(L. S.) *JOHN BARON de RHEEDE.*
(L. S.) *VRY HEER van RENSWOUDE.*
(L. S.) *E. ENDE van BOOTSMA.*
(L. S.) *BARON de PALANT.*
(L. S.) *G. GRAYS.*

Declaration of the 1ſt Article of the Treaty.

WHEREAS in the firſt Article of the Treaty concluded this day between the Lord Ambaſſador Extraordinary of the King of *Great Britain*, and the Lords the Deputys of the States General of the *United Netherlands*, the Bailywicks, Chatellanys, Territorys, Governments, Provoſtſhips, with the Appurtenances, Dependencys, and all the Appendages, are not expreſsly mention'd, with the Towns that are to be reſtor'd to the Catholick King by virtue of the 1ſt Article; nor is there any Proviſion made in the 1ſt Article relating to the Duchy of *Limburg*, and the Town of *Binche*: We the underwritten Deputys of the ſaid States General declare by theſe Preſents, that 'tis the intention of the ſaid States General, that the Bailywicks, Chatellanys, Territorys, Governments and Provoſtſhips, with the Appurtenances, Dependencys, and all the Appendages, be reſtor'd along with the Towns that are in purſuance of the ſaid firſt Article to be reſtored to the ſaid Catholick King, as it was alſo provided in the Treaty of Peace concluded between the two Crowns, *Anno* 1668; and that among thoſe which were to be reſtor'd, the ſaid Duchy of *Limburg*, and the Town of *Binche*, with all the Appendages, are to be comprehended: and that the underwritten have ſign'd the ſaid Treaty, in Confidence that the ſaid King of *Great Britain* will concur with the ſaid States in the ſaid Intention, and that the ſaid Lord Ambaſſador Extraordinary had ſignify'd to us that he had nothing in command relating to thoſe matters, but that he will report this Declaration of the ſaid Deputys to the ſaid Lord the King, and make uſe of all Offices that his Majeſty may be pleas'd to concur with us in the ſame Intention. Done at the *Hague*, *Dec.* 31, 1677. and ſign'd *Jan.* 10, 1678.

(L. S.) *W. van*

(L. S.) *W. van HEUKELOM.*
(L. S.) *D. van WYNGARDEN.*
(L. S.) *GASPER FAGEL.*
(L. S.) *J. de MAUREGNAULT.*
(L. S.) *JOHN BARON de RHEEDE.*
(L. S.) *VRY HEER van RENSWOUDE.*
(L. S.) *E. van BOOTSMA.*
(L. S.) *BARON de PALANT.*
(L. S.) *G. GRAYS.*

Separate Article.

Whereas in the firſt Article of the Treaty concluded this day, 'tis expreſs'd that the Duchy of *Lorrain* is to be reſtored to the Duke of *Lorrain*, and that as to *Sweden*, there ſhall be a Suſpenſion of Arms, till the ſeveral Articles of the Peace are agreed to; we the underwritten do, by virtue of theſe Preſents, declare, that 'tis the Intention of the King of *Great Britain*, and of the States General of the *United Netherlands*, that the ſaid Lord the King will by all means bring it about, that the Duchy of *Lorrain* ſhall be reſtor'd to the Lord Duke, with the Fortifications, in the ſame ſtate they are now in; but if that cannot be obtain'd from the moſt Chriſtian King, then it ſhall be reſtor'd in the Condition it was in at the time of taking Poſſeſſion: and that as for *Sicily*, the moſt Chriſtian King ſhall remain poſſeſs'd of thoſe Towns which he holds in that Iſland, or whatever elſe may be propos'd, that is not in the *Low-Countrys*, by way of Pledge and Security, till ſuch time as the Terms of Peace, in reſpect to *Sweden*, can be agreed and enter'd into. Sign'd and ſeal'd as above.

A Defenſive League betwixt Charles II. *King of* Spain, *and* Charles II. *King of* Great Britain, *founded on the Treatys of the* 30*th of* Auguſt 1673, *between the ſaid King of* Spain *and the States General of the* United Netherlands, *and of the* 31*ſt of* March 1678, *between the ſaid States and the King of* Great Britain, *and conſtituted for preſerving the general Peace lately reſtored entire and inviolable. Done at the Caſtle of* Windſor *the* 10*th of* June 1680.

WHereas the moſt Serene and moſt Potent Prince, *Charles* King of *Great Britain* has convinced all *Europe* with what Zeal and Affection he labour'd while he diſcharg'd the Function of Mediator at the Congreſs at *Nimeguen*, to reſtore the Chriſtian World to Peace, which by the Bleſſing of God is happily accompliſh'd; and whereas it was always his Majeſty's Inclination, to be equally ſollicitous for the Preſervation of the publick Tranquillity, to which nothing can conduce more than the entring into ſtrict defenſive Leagues with all thoſe Princes and States whom it concerns, that the general Peace lately renew'd may be preſerv'd, eſpecially with the moſt Serene and moſt Potent Prince the Catholick King of *Spain*, betwixt whom and his Majeſty there has been a conſtant Friendſhip, which his Majeſty alſo, as Occaſion ſhall offer, deſires to increaſe every day; and whereas the Catholick King has declar'd in like manner, that

that he has nothing more at heart than to embrace the Ways and Means which may conduce to the Succeſs of ſo juſt and ſo laudable a Purpoſe; and the two moſt Serene Kings bearing in mind the defenſive Leagues, *viz.* that enter'd into on the $\frac{2}{3}\frac{0}{0}$th of *Auguſt* 1673, between the King of *Spain* and the Lords the States General of the *United Provinces* of the *Netherlands*, and that which was concluded the 31ſt of *March* 1678, between the King of *Great Britain* and the ſaid States General of the *United Provinces* of the *Netherlands*, as ſolid Foundations for preſerving the General Peace, and for defending their Dominions on both ſides; it has been conſulted and thought fitting by the ſaid moſt Serene Kings, to join together in the like Treaty of Defence and Union, with this View chiefly, that a Confederacy of ſo great Importance might render the Peace of *Europe* ſecurer. For this end, the King of *Great Britain* has nominated and conſtituted the following his Commiſſioners and Plenipotentiarys, *viz.* *Robert* Earl of *Sunderland*, one of his Principal Secretarys of State; *Lawrence Hyde* Eſq; firſt Commiſſioner of his Treaſury; Sir *Lionel Jenkins*, another of his Principal Secretarys of State; and *Sidney Godolphin* Eſq; all of his moſt Honourable Privy Council: and the King of *Spain* did likewiſe nominate and conſtitute *Don Pedro de Ronquillo* (his Ambaſſador at the *Britiſh* Court:) which Commiſſioners being veſted with ſufficient Powers, have agreed on the following Articles.

I. There ſhall be a perpetual Peace between the King of *Great Britain* on the one part, and the Catholick King of *Spain* on the other part, as alſo between their Succeſſors and Kingdoms, Dominions and Territorys belonging to either of them, and their Subjects on both ſides; and there ſhall be a ſincere, firm and perpetual Friendſhip and good Correſpondence between them, both by Land and Sea, and in all Places in *Europe*, and elſewhere.

II. There ſhall moreover be a ſtrict League of Defence and Union between the ſaid moſt Serene Kings and their Succeſſors, Kingdoms, Dominions and Territorys to them belonging, for defending and maintaining one another in the Poſſeſſion of all their Dominions, Citys, Places and Countrys to them belonging, as alſo in the Enjoyment of all their Rights, Immunitys and Libertys of Navigation, Commerce, *&c.* whatſoever, both by Land and

Sea, which they now actually enjoy, or which of right they ought to enjoy, and which they do now or shall hereafter possess, by virtue of any Treatys whatsoever, of Peace, Friendship or Neutrality, heretofore enter'd into, (and of all their Rights which are comprehended in the late Treaty of *Nimeguen*) or that shall be enter'd into hereafter, jointly and by common Consent with other Kings, Republicks, Princes and Citys, confining the whole within the Limits of *Europe*.

III. And therefore the said most Serene Kings promise, and mutually bind one another, to maintain and vindicate not only all those Treatys which they have either already enter'd into with other Kings, Republicks, Princes and States, (which shall be communicated to one another before the Exchange of the Ratifications) but all those also which they may hereafter enter into jointly, and by common consent, and likewise mutually to protect, assist and preserve one another in possession of the Dominions, Territorys, Citys and Places, which do now, or hereafter shall belong to the most Serene King of *Great Britain*, and the Kings his Successors, and to the most Serene King of *Spain*, and the Kings his Successors, pursuant to the aforesaid Treatys, or by any other means whatsoever, or in what part soever of *Europe*, the said Dominions, Territorys, Citys and Places are situate; so that if the said most Serene Kings, or the Kings their Successors, or either of them shall happen to be invaded, or in any manner whatsoever disturb'd in the Possession or Enjoyment of the Dominions, Places, Countrys, Citys, Rights, Immunitys and Libertys of Navigation, Commerce, or other Affairs whatsoever, of whatsoever kind they are, whether by Sea or Land, which they now actually possess or enjoy, or ought to possess and enjoy, by common Right, or according to Treatys already enter'd into, or that may hereafter be enter'd into, in manner aforesaid, the said Kings being previously required, the one by the other, shall jointly contribute all their Endeavours, that the Hostility or Disturbance may cease; and that the Damages and Injurys which shall be done to either of the Confederates may be repair'd.

IV. But if such Attack or Disturbance break out into open War, the Confederate who was not attack'd shall, within three Months, to be computed from the day that he was first required by that Confederate who happens to be already involv'd in the War, be oblig'd to join

himſelf in the Alliance to proſecute the War openly; and during the Expiration of the Term aforeſaid, he ſhall uſe all his Endeavours by his Ambaſſadors or other Miniſters that the Peace may be reſtor'd on equitable and reaſonable Terms, between the Aggreſſor or Invader, and the Party injur'd or invaded: But in the mean time he ſhall aſſiſt the injur'd Confederate with 8000 Foot Soldiers well arm'd, who ſhall be form'd into ſuch Regiments and Companys, and be put under the Command of thoſe Colonels and other Officers, as ſhall ſeem good to the Confederate who ſhall furniſh the ſaid Succours, which he ſhall maintain at his own Expence, for the uſe of the Confederate that is injur'd or invaded, during the whole Time that he is not oblig'd according to this Treaty to enter into the Alliance for open War. And it ſhall be free for the Confederate that is injur'd or invaded to receive the ſaid Succours, either all in Soldiers, or all in Money, Ships, Arms, Military Stores, or other things neceſſary for proſecuting the War, valuing every thouſand Foot at the rate of 10000 Florins *per* Month (reckoning each Florin at 20 Stivers, *Brabant* Money) according to the Courſe of Exchange at *London* or *Antwerp*, computing twelve Months to every Year; and at the beginning of every Month Payment ſhall be made in equal Portions at *London* or *Antwerp* reſpectively: but if the ſaid Succours be furniſh'd either in whole or in part, in Military Stores, Ships or other things neceſſary for War, that Confederate to whom the Succours ſhall be furniſh'd ſhall be oblig'd to ſollicit and receive them in the Dominions of him who is to furniſh the Succours; provided that if the Confederate to whom the Auxiliarys are to be ſent, chuſes to be aſſiſted in part with Horſe or Dragoons to make up the Compliment of the ſaid 8000 Foot Soldiers, or ſuch part thereof as the injur'd or invaded Party ſhall perhaps require, every Trooper or Dragoon ſhall be reckon'd equal to three Foot Soldiers; but when the Succours ſhall be furniſh'd wholly in Soldiers, they ſhall be oblig'd to pay regard to the Will, and obedience to the Commands of him to whom they are ſent, to the end that they may be made uſe of as ſhall be thought moſt adviſeable, either to ſerve in the Army, or in Sieges and the Gariſons of Citys, and every where elſe, as the Neceſſity and Utility of Affairs ſhall require; on condition nevertheleſs, that it ſhall not be lawful for

ſingle Companys to ſeparate and divide from one another; but that at leaſt 200 or 300 Soldiers out of every Regiment ſerve under the ſame Colours: and when it ſhall appear from the Emergency of Affairs, that there is an evident neceſſity for augmenting the number of Forces granted and promis'd, the moſt Serene Kings ſhall agree about that matter between themſelves; and when the ſaid three Months are elaps'd, it ſhall be at the Option of the Confederate, who ſhall be invaded or injur'd, to have the uſe of the ſame Succours longer, if conſidering the Circumſtances of the Time and Affairs, it ſhall be thought more for his Advantage than to draw in his Confederate to be an Ally in the open War.

V. If either of the Confederates happen to be invaded or diſturb'd, and be forc'd to go to War, when a mutual Confederacy is after this manner promis'd and eſtabliſh'd, the other Confederate ſhall likewiſe be oblig'd to enter into War againſt the Aggreſſor or Invader, and ſhall make uſe of all his Forces both by Land and Sea, and join them with thoſe of the Confederate who is injur'd or diſturb'd, in order to compel the common Enemy to agree to Terms of a ſafe, juſt and honourable Peace with both Confederates.

VI. And in ſuch Emergency the Forces of the moſt Serene Kings ſhall wage War jointly or ſeparately, according to the more particular Convention that ſhall at that time be made between them; moreover, they ſhall hold Councils, and communicate their Opinions to one another, by what means their common Enemy may be moſt preſs'd or haraſs'd, either by way of Diverſion, as 'tis commonly call'd, or by any other means whatſoever, in order that, as is ſaid above, he may the ſooner be compell'd to hearken to Peace.

VII. And tho the Obligation of this Treaty, as is mention'd at the end of the ſecond Article, is confin'd within the Limits of *Europe*, yet it muſt be ſo underſtood, that if the moſt Serene King of *Great Britain*, or the moſt Serene King of *Spain*, happen hereafter to be invaded, or in any manner whatſoever to be diſturb'd in the poſſeſſion or enjoyment of the Dominions, Places, Countrys and Citys, Rights, Libertys and Immunitys of Navigation, Commerce, or any other Affairs whatſoever, and of whatſoever kind, whether by Land or Sea, which they do at this preſent or ought hereafter to enjoy and

poſſeſs, even without *Europe*, and in any part of the World whatſoever, by common Law, or according to Treatys already made or to be made hereafter, in manner as aforeſaid; the moſt Serene Kings, when deſir'd and requir'd by one another, ſhall exert all their Power and Study that ſuch Hoſtility or Moleſtation may ceaſe, and that the Loſſes and Injurys done to either of the Confederates may be repair'd. But if they cannot do it in an amicable way within four Months, and that Confederate who ſhall be ſo invaded or diſturb'd out of *Europe*, in whatſoever part of the World it be, is compell'd to employ his Arms againſt the Diſturber or Invader in *Europe*, that he may be reduc'd to embrace an equitable Peace, the other Confederate who is not invaded or diſturb'd ſhall be oblig'd to ſend the Succours aforeſaid to him who is invaded or diſturb'd, and afterwards to join in open War againſt the Diſturber or Invader, in the ſame manner altogether as if the Invaſion or Moleſtation had happen'd within the Limits of *Europe*.

VIII. When once a War is broke out among the Confederates according to this Treaty, it ſhall not be in the Power of either of the Confederates to enter into any Ceſſation of Arms betwixt himſelf and the Enemy, unleſs jointly and by common Conſent.

IX. But in caſe a Treaty of Peace be propos'd, or a Truce for a certain number of Years, neither of the Confederates ſhall begin it without the Participation of the other, and unleſs the Party which is inclin'd to enter into the Treaty procures the neceſſary and uſual Full Powers and Safe Conduct for the other Party, at the ſame time as for himſelf, that he may ſecurely ſend his Miniſters to the Place appointed for the Treaty, and unleſs he ſucceſſively and from time to time communicate to him all the Matters negotiated in ſuch Treaty of Truce or Peace; and neither of the Confederates ſhall conſent to the Concluſion of the ſaid Peace or Truce without including the other Confederate in the ſame, and without ſtipulating for his Reſtoration, if he think fit, to the Poſſeſſion of the Dominions, Lands and Places, and of all his Rights and Immunitys which he us'd and enjoy'd before the War, and alſo without obtaining for his Confederate from the common Enemy thoſe Rights, Immunitys, Exemptions, and Prerogatives, which he bargains for himſelf, unleſs it be otherwiſe agreed upon between them.

X. And

X. And in order to make the beſt Proviſion poſſible, that the ſincere Application of the moſt Serene Kings, for eſtabliſhing the ſtricteſt Amity and Union by the preſent Treaty between themſelves and their Dominions and Subjects on both ſides, may not be liable to any Variation whatſoever, 'tis not only agreed that it ſhall not be lawful either for the moſt Serene King of *Great Britain*, or the moſt Serene King of *Spain*, to enter into any Convention hereafter contrary to this, but alſo that he ſhall not enter into any Treaty without including the other Confederate in it, if he pleaſes, and without ſuch a timely Communication to him of all the Negotiations, that he may declare his Opinion as to his being included accordingly.

XI. And whereas 'tis the principal Aim of this League that the publick Tranquillity and Peace reſtor'd to *Chriſtendom* may remain undiſturb'd and inviolable, the moſt Serene Emperor of the *Romans*, as well as other Kings, Princes and States, ſhall be deſired to enter into thoſe Schemes and Counſels with both of the Confederates, which may be moſt conducive to ſo ſalutary a Purpoſe; and eſpecially all Endeavours ſhall be us'd on both ſides that the Treatys lately concluded at *Nimeguen* (by which Peace is reſtor'd to *Chriſtendom*) may remain and be continued in full force.

XII. The Treaty of Peace and Friendſhip enter'd into between the moſt Serene Kings at *Madrid*, *Anno* 1667, and another Treaty concluded likewiſe at *Madrid* for eſtabliſhing Peace, &c. in *America*, between the Kingdoms of *Great Britain* and *Spain*, and alſo all other Treatys and Conventions between the moſt Serene Kings, ſhall be ſincerely obſerv'd in their ſeveral Articles; and not only the moſt Serene Kings, but their Subjects on both ſides, ſhall freely and effectually enjoy and poſſeſs all Things therein ſtipulated, whether they relate to the Publick or to Private Affairs.

XIII. This League ſhall continue and be in force till the $\frac{20}{30}$ day of *Auguſt*, 1693. and before the Expiration of that ſpace of Time the ſaid moſt Serene Kings ſhall agree between themſelves on the farther Prolongation thereof for the publick Good; and the preſent Treaty ſhall be ratify'd on both ſides within two Months, to be computed from the Date of the Subſcription. Done at *Windſor* Caſtle, the 10th day of *June*, A. D. 1680.

(L. S.) *DON PEDRO de RONQUILLO*,

(L. S.)

(L. S.) *SUNDERLAND.*
(L. S.) *L. HYDE.*
(L. S.) *L. JENKINS.*
(L. S.) *S. GODOLPHIN.*

Separate Article.

'Tis agreed and concluded by the preſent ſeparate Article, that if the Lords the States General of the United Provinces of the *Netherlands* ſhall think fit to augment the number of the Forces mention'd in the 4th and 7th Articles of the Treaty enter'd into by the King of *Spain* and Them on the 30th of *Auguſt*, *Anno* 1673, either by Ships or Marines, the moſt Serene King of *Great Britain* promiſes, that he will alſo ſend the like number of Men of War to the Aſſiſtance of the moſt Serene King of *Spain*, beſides thoſe Forces which have been mutually agreed to in the 4th and 7th Articles of this Treaty.

Sign'd as above.

Treaty between James II. *King of* Great Britain, *and the* United Provinces *of the* Netherlands, *for renewing the Alliance. Concluded at* Windſor, Aug. 17, 1685.

WHEREAS the High and Mighty Lords the States General of the *United Netherlands*, have ſignify'd their earneſt deſire, that all the Treatys which were concluded and ſtill ſubſiſt between the moſt Serene and moſt Potent Prince and Lord *Charles* II. late King of *Great Britain* of Glorious Memory, and their High Mightineſſes the Lords the States General, at divers Times and Places, (particularly mention'd hereafter) for preſerving a Peace and good Underſtanding between the *Britiſh* Crown and the States of the *United Netherlands*,

as

as well as the Liberty, Frequency and Security of Commerce between the Subjects of both States, may be continued and again confirm'd; and for that end have ſent hither in quality of their Ambaſſadors Extraordinary, *Jacob* Baron *de Waſſenaer* and *de Duyvenvoorde*, Lord of *Duyvenvoorde*, *Voorſchooten*, *Veur*, &c. *Arnauld de Citters*, late a Counſellor in the Supreme Court of *Holland*, *Zealand* and *Weſtfrieſland*, and Ambaſſador in Ordinary from the ſaid Lords the States General to the moſt Serene King of *Great Britain*; and *Everard de Weede*, Lord of *Dykvelt*, *Ratelles*, &c. whom they have appointed their Commiſſioners and Deputys, and furniſh'd with full Power and Authority for this purpoſe.

The moſt Serene and moſt Potent Prince and Lord, *James* II. by the Grace of God, King of *Great Britain*, *France* and *Ireland*, Defender of the Faith, being alſo affected with the ſame Deſire, to continue and obſerve the antient Friendſhip betwixt the two Nations aforeſaid, and alſo to improve it by certain Treatys and Conventions to the Advantage of both, has nominated and appointed as Commiſſioners on his part, and veſted them with like Authority and Power, his Right truſty and well-beloved Couſins and Counſellors, *Lawrence* Earl of *Rocheſter* Lord High Treaſurer of *England*, *George* Marquiſs of *Hallifax* Lord Preſident of his Council, *Robert* Earl of *Sunderland*, and *Charles* Earl of *Middleton*, his two Principal Secretarys of State; and the ſaid Commiſſioners and Deputys, as well on the part of the moſt Serene Prince, *James* King of *Great Britain*, as on the part of the Lords the States General, having had divers Meetings and Conferences on both ſides, relating to the Premiſes, according to the Authoritys and Powers granted to them on both ſides, have agreed and concluded, that all and ſingular the Treatys hereafter repeated, *viz.*

I. The Treaty of Peace and Alliance concluded $\frac{21}{31}$ *July*, *Anno* 1667.

II. The Treaty of Navigation and Commerce of the ſame Date.

III. The Treaty of Peace and Friendſhip concluded at *Weſtminſter* $\frac{4}{14}$ of *February*, *Anno* 1673-4.

IV. The Maritime Treaty concluded at *London*, *Dec.* 1, 1674, together with the Declaration concluded at the *Hague* $\frac{20}{30}$ of *Decem. A. D.* 1675. more fully explaining cer-

certain Articles of the ſaid Treaty, as alſo of the Maritime Treaty of *Feb.* $\frac{7}{17}$, *A. D.* 1667-8.

V. The Article concluded at *London*, *March* $\frac{3}{13}$, *A. D.* 1674-5, for preventing or amicably accommodating the Controverſys between the *Engliſh* and *Dutch Eaſt India* Companys.

VI. The defenſive League concluded at *London*, *March* $\frac{3}{13}$, *A. D.* 1677-8.

And all and ſingular the Articles contain'd in the ſaid Treatys, and every one of them, ſhall be for ever hereafter continu'd, confirm'd and eſtabliſh'd in the ſame ſenſe, and to the ſame purpoſe as they were originally form'd and concluded, and ſhall have and obtain the ſame Force and Virtue hereafter, as they ought or were ſuppos'd to have before, and in as ample manner and form, according as they were at firſt drawn up and concluded, as if the ſeveral Treatys, and Articles of the Treatys, had been repeated and ſpecify'd *verbatim* in theſe Preſents.

And that the abovemention'd moſt Serene King of *Great Britain*, and the ſaid High and Mighty Lords the States General of the *United Provincees*, will ſincerely and *bonâ fide* obſerve all and every Point agreed and eſtabliſh'd in all and ſingular the Treatys rehears'd and mention'd in the foregoing Article, and cauſe the ſame to be obſerv'd by their Subjects and Inhabitants; and that they will not directly nor indirectly contravene them, or ſuffer them to be contraven'd by their Subjects or Inhabitants; and that they will ratify and confirm the Renovation of all and ſingular the Treatys aforeſaid, now agreed on and concluded by the Commiſſioners and Deputys of both the Partys, by Letters Patent in due Form ſign'd with their own Hands, and ſeal'd with their reſpective Great Seals; and that they will *bonâ fide*, really and effectually exchange, or cauſe the ſame to be exchang'd reciprocally within four Weeks (or ſooner if poſſible) after the date of theſe Preſents. Done at the Caſtle of *Windſor*, the 17th of *Auguſt* 1685.

(L. S.) *ROCHESTER.*
(L. S.) *HALIFAX.*
(L. S.) *SUNDERLAND.*
(L. S.) *MIDDLETON.*
(L. S.) *Baron de WASSENAER DUYVENVOORDE.*
(L. S.) *ARNAUT van CITTERS.*
(L. S.) *de WEEDE.*

Treaty

Treaty between his Majeſty the King of Great Britain, *and their High Mightineſſes the States General of the* United Provinces *on the one part, and his Royal Highneſs the Duke of* Savoy *on the other part, for that Duke's Acceſſion to the Grand Alliance. Done at the* Hague *the* 20*th of* October, 1690. *with his Royal Highneſs's Ratification at* Turin, *the* 20*th of* Nov. 1690.

Victor Amadeus II. by the Grace of God, Duke of *Savoy*, Prince of *Piedmont*, King of *Cyprus*, &c. The Preſident *de la Tour* going to the *Hague* by our Order, in quality of Envoy Extraordinary, with a full Power to treat of an Alliance with his *Britannick* Majeſty, and the States General of the *United Provinces* of the *Netherlands*, which was concluded by the Treaty ſign'd at the *Hague* the 20th of *October* 1690, the Tenor of which hereafter follows.

Whereas his Royal Highneſs of *Savoy*, after having declared himſelf for the common Cauſe, deſires nothing more ardently than to enter into an Alliance with the King of *Great Britain*, and the Lords the States General of the *United Provinces* of the *Netherlands*; and whereas his *Britannick* Majeſty and their High Mightineſſes are heartily diſpos'd to concur with the generous Deſire of a Prince for whom they have ſo ſingular Eſteem; their underwritten Plenipotentiarys, after having had a Conference together, thought that the beſt way to make this Alliance conducive to the greateſt Union of the Confederate Powers, wou'd be

be to aggregate and aſſociate his Royal Highneſs to the Treaty concluded between his Imperial Majeſty and the Lords the States General the 12th of *May* 1689, into which his ſaid Majeſty of *Great Britain* is alſo enter'd; to the end that as there ought to be but one and the ſame Mind, and one and the ſame Intereſt among the Allies, ſo there may be but one and the ſame Treaty, and one and the ſame Alliance to unite them. And for attaining to a Deſign ſo advantageous to the common Cauſe, they have agreed to make the following Declarations, by virtue of their reſpective Powers inſerted at the end of theſe Preſents.

I. My Lord *Durſley*, Envoy Extraordinary from his Majeſty of *Great Britain*; and the Sieurs *Walrave*, Baron *de Heeckeren*, Lord of *Netelhorſt*, High Bailiff of the County of *Zutphen*; *James* Baron *de Waſſenaer* and *Duyvenvoorde*, Lord of *Duyvenvoorde*, *Voorſchotten*, *Voor*, &c. High Bailiff and Grand Maſter of the *Dikes* of *Rhinland*, one of the Body of the Nobles of the Province of *Holland* and *Weſtfrieſland*; *Anthony Heinſius*, Counſellor Penſionary, Keeper of the Seals, and Intendant of the Fiefs of the ſaid Province; *William de Naſſau*, Lord of *Odyke*, *Cortgene*, &c. Chief Nobleman and Repreſentative of the Order of Nobility in the States, and in the Council of the County of *Zealand*; *John van der Does*, Lord of *Bergeſtein*, Deputy from the Order of the Nobility to the States of *Utrecht*; *John Abraham de Schurman*, Burgomaſter of *Ylet*, and Deputy to the States of *Frieſland*; *Gaſpar Henry de Lemker*, Burgomaſter of *Campen*; and *John Viglius van Heeck*, Senator of *Groningen*; Deputys from the Lords the States General of the *United Provinces*, do aggregate, aſſociate, and admit his Royal Highneſs of *Savoy*, to the Treaty which was concluded and ſign'd the 12th of *May* 1689, between his Imperial Majeſty, and the Lords the States General, beginning

Notum teſtatumque ſit, &c.

And in the Name of the King of *Great Britain*, and the Lords the States General, we enter, with regard to his Royal Highneſs, into all thoſe Engagements without Reſerve or Exception, into which they are enter'd with his Imperial Majeſty, obliging, as by the preſent Act they do oblige

oblige his *Britannick* Majeſty, and their High Mightineſſes, to the entire and inviolable Obſervation of the ſaid Treaty, with regard to his Royal Highneſs, according to its Form and Tenor, as much as if they had hereby ſtipulated and contracted it with his ſaid Royal Highneſs over again.

II. The Sieur *de la Tour*, Baron *de Bourdeaux*, Counſellor of State to his Royal Highneſs, Preſident of his Finances in *Savoy*, Intendant of his Houſhold, and his Envoy Extraordinary, having perus'd and conſider'd the ſaid Treaty, approves and ratifys it, and receives and accepts the ſaid Aſſociation and Aggregation, in the Name of his Royal Highneſs, obliging him, as by the preſent Act he does oblige him, to obſerve and cauſe it to be obſerv'd inviolably, on the ſame Conditions, Guarantys and Obligations, as are therein contain'd, and which ſhall have the ſame Force as if they were hereby ſtipulated between the Partys again.

III. His *Britannick* Majeſty and their High Mightineſſes being deſirous to give his Royal Highneſs effectual Marks of their Affection for him, and of their Concern for his Preſervation, do eſtabliſh and promiſe him a Subſidy of 30000 Crowns a Month, for ſix Months to come, computing from the day of the ſigning of this preſent Treaty; one half of which Sum to be employ'd by his Royal Highneſs where it ſhall be moſt convenient for repelling the Enemy who has invaded his Dominions, which Moiety ſhall therefore be paid him in hand; and the other half to be employ'd for ſubſiſting his own Troops, as well as for the Maintenance of the *Vaudois* and the *French* Refugees who have been armed at the Expence and by the Care of his *Britannick* Majeſty and their High Mightineſſes: of which ſaid Sum of 30000 Crowns a Month, the King of *Great Britain* ſhall furniſh 20000, and the States General 10000, by regular and punctual Payments.

IV. And whereas his Imperial Majeſty, by the Treaty he made with his Royal Highneſs on the 4th of *June* laſt, ſtipulated an Article expreſly concerning the Reſtitution of *Pignerol*, in ſubſtance thus.

'His Sacred Imperial Majeſty, and the Confederates, 'ſhall do all that is in their Power that *Pignerol* may be re-'ſtor'd to his Royal Highneſs, either by Treatys or by 'Force of Arms; but without any Prejudice to the Rights 'and Poſſeſſions yielded to, and acquir'd by his Highneſs 'in the Territorys of *Montferrat*, by virtue of the Treaty 'of *Quieras*.'

His

His *Britannick* Majeſty and their High Mightineſſes, ſubmitting to the full Scope of the Obligation impos'd by that Article, will obſerve all the Contents of it, and cauſe it to be punctually executed.

V. The abovemention'd Plenipotentiarys promiſe the intire and inviolable Obſervation of the foregoing Articles, and oblige themſelves to bring back the Ratifications thereof in due form in two Months, or ſooner, if poſſible. In Witneſs whereof, they have ſign'd the preſent Act, and thereto affix'd the Seal of their Arms. Done at the *Hague*, the 20th of *October*, 1690.

(L. S.) *CHARLES BERKLEY Viſcount DURSLEY.*
(L. S.) *Baron de WASSENAER DUYVENVOORDE.*
(L. S.) *A. HEINSIUS.*
(L. S.) *W. de NASSAU.*
(L. S.) *J. VANDER DOES.*
(L. S.) *A. VAN SCHURMAN.*
(L. S.) *H. LEMKER.*
(L. S.) *VAN HEECK.*

And We, having caus'd the ſaid Treaty to be read to us *verbatim*, have accepted, approv'd, ratify'd and confirm'd it, in all its Points and Articles, as we do hereby accept, approve, ratify and confirm it, promiſing on the Faith and Word of a Prince, punctually to keep and obſerve it, and never to contravene, or ſuffer it to be contraven'd, directly or indirectly, in any ſort or manner whatever; reſerving to ourſelves the Liberty of making a Repreſentation to his *Britannick* Majeſty and their High Mightineſſes the States General, how inadequate the Succours which they have granted us are to the Burden of the War in which we are engag'd; as alſo to declare the Reaſons which ought to induce his ſaid Majeſty, and their High Mightineſſes the States General, to appoint a more ample Subſidy for us during the War, and to which we hope they will pay a ſuitable Regard. In Witneſs whereof, we have ſign'd the preſent Ratification, and caus'd it to be counterſign'd by the Marquiſs *de St. Thomas*, our Miniſter and principal Secretary of State, and to be ſeal'd with our Privy Seal. At *Turin*, the 20th of *November*, 1690. Sign'd,

AMADEUS (L. S.)

And underneath,

SAINT THOMAS.

A Secret Article concerning the Vaudois, *ſign'd the ſame day, with the Ratification of their High Mightineſſes. Done at the* Hague *the 8th of* February 1691. *Together with the full Powers of the King of* Great Britain, *and the Lords the States General of the* United Provinces; *and two full Powers of his Royal Highneſs of* Savoy, *the one for treating with the King of* England, *the other for treating with the States General of the* United Provinces.

THE States General of the *United Provinces* of the *Netherlands*, to all who ſhall ſee theſe Preſents, Greeting. Whereas with the Treaty of Alliance between his Majeſty the King of *Great Britain* and us on the one part, and his Royal Highneſs the Duke of *Savoy* on the other part, made and concluded here at the *Hague* by the Miniſters and Plenipotentiarys ſufficiently authoriz'd, and furniſh'd with full Powers, on the 20th of *October*, laſt Year 1690, a Secret Article was made at the ſame time of the following Tenour.

'Secret Article concerning the *Vaudois*, made at the 'Hague between the Miniſters of his *Britannick* Majeſty 'and their High Mightineſſes the States General of the 'United Provinces of the *Netherlands*, on the one part, 'and M. the Preſident *de la Tour*, Envoy of his Royal 'Highneſs the Duke of *Savoy*, on the other part.'

His Royal Highneſs who has already receiv'd his *Vaudois* Subjects of the Proteſtant Religion into his Favour, and reſtor'd them to his Royal Protection, and who receives daily Proofs of their Fidelity and Attachment to his Service, declares by the preſent Article, which ſhall have the ſame Force and Vigour, as if it was inſerted in the Treaty or Act of Incluſion, agreed upon this day between the King of *Great Britain*, and the Lords the States General of the *United Provinces* of the *Netherlands* on the one

one part, and his Royal Highneſs on the other, that at the Inſtances, and in regard to his *Britannick* Majeſty and their High Mightineſſes, he has revok'd, as he does hereby actually revoke, the Edict paſs'd againſt the ſaid *Vaudois* the 31ſt of *January* 1686, and all other Edicts or Orders whatſoever, granted for the Execution thereof; that he has abſolv'd, and does abſolve them from all Contravention thereto: and for that end grants them, as far as is and ſhall be needful, entire and plenary Abolition thereof, in ſuch manner, that neither they nor others that ſhall aid or abet them, ſhall be therefore queſtion'd, either in general or in particular, in any manner whatſoever. That 'tis his Pleaſure that all the Priſoners be ſet at Liberty, and all Children Male and Female, of what Age and Place ſoever they are, be reſtor'd without any Charge or Expence, leaving them at full Liberty to return home with their Parents, and to make profeſſion of their Religion, without moleſting or proſecuting either them, or any others on account of any Abjurations which they may have made. That he re-eſtabliſhes and ſecures them, their Children and Poſterity, in the Poſſeſſion of all and ſingular their antient Rights, Edicts, Cuſtoms and Privileges, as well with reſpect to their Habitations, Trades, and the Exerciſe of their Religion, as to every thing elſe; and re-eſtabliſhes, and reinveſts them in all their Eſtates, Lands, Houſes, Inheritances, Titles, Pleas and Actions, and all other things in being, which they can juſtify by any kind of Proof to belong to them before the ſaid Order of the 31ſt of *January* 1686. That immediately after the Ratification of the principal Treaty, and of the preſent Article, his Royal Highneſs will cauſe Letters Patent, in purſuance of this preſent Article, to be diſpatch'd in form of an Edict, in favour of the ſaid *Vaudois* his Subjects, and other People of the reformed Religion, who are inclin'd to ſettle in the ſaid Valleys, on their taking the uſual Oath of Fidelity, as true Subjects of his Royal Highneſs; which ſaid Letters Patent his Royal Highneſs will cauſe to be confirm'd and recorded in the Senate, and in the Chamber of Accompts at *Turin*, and wherever elſe it ſhall be neceſſary. And finally, the Miniſters of his *Britannick* Majeſty and of their High Mightineſſes ſhall be inſtructed and authoriz'd to regulate, according to the antient Edicts, Laws and Conceſſions, with the Miniſters of his Royal Highneſs, all the ſeveral particulars that may

remain and be omitted for the Security of the ſaid *Vaudois* in this Article, as alſo for the execution of the ſame, as well in matters relating to their Religion, as to their Eſtates, Rights, and all other things. The ſaid Plenipotentiarys abovemention'd have promis'd, and do reſpectively promiſe, in the Name of their Maſters and Principals, to cauſe the Contents of the preſent Article to be inviolably obſerv'd, and to furniſh the Ratifications thereof in due Form, in two Months, or ſooner, if poſſible. In Witneſs whereof, they have ſign'd the preſent Article, and thereto affix'd the Seal of their Arms. Done at the *Hague*, the 20th of *October* 1690.

Sign'd,

P. H. de la TOUR. (L. S.)

The ſaid Secret Article being to our Liking, we have approv'd and ratify'd it, and do by theſe Preſents agree to it, approve and ratify it, promiſing *bonâ fide* to keep, maintain, and inviolably obſerve it in every Punctilio, and according to its Form and Tenour, without ever contravening it directly or indirectly in any manner whatſoever. In Witneſs whereof, we have caus'd theſe Preſents to be ſign'd by the Preſident of our Aſſembly, to be counterſign'd by our Regiſter, and to be ſeal'd with our great Seal. Done at the *Hague*, the 8th of *Feb.* 1691.

Sign'd,

VAN HECK.

By Order of the ſaid Lords the States General.

F. FAGEL.

The King of Great Britain's *Full Power.*

WILLIAM III. by the Grace of God, King of *Great Britain*, *France* and *Ireland*, Defender of the Faith, *&c.* To all and ſingular the Perſons to whom theſe Preſents ſhall come, Greeting. Whereas it was unanimouſly thought neceſſary by all the Confederates, who after being provok'd by the moſt flagrant Injurys are oblig'd to defend both themſelves and the Publick by a War

againſt the moſt Chriſtian King, that Miniſters to be deputed from the ſeveral Confederates, ſhould have a Congreſs at the *Hague* in *Holland*, and there conſult and agree on ways and means that might be moſt conducive for the moſt effectual Proſecution of this War, to the end that it might the ſooner be brought to a happy Iſſue, and for protecting the Publick againſt all Violence and Injurys, and for not only preſerving the League, but alſo, if need ſhou'd require, for making it more ſtrict and binding: and whereas the High and Mighty Lords, the States General of the Provinces of the *United Netherlands*, have alſo deſired other Kings and Princes, that they wou'd in like manner ſend their Miniſters to join their Endeavours for that end, in the ſame place; we were reſolv'd that nothing ſhou'd be wanting on our part, to the end that the ſaid Convention might be held as ſoon as poſſible, and the better obtain its deſired Effect. Know ye therefore, that we having very great Confidence in the Fidelity, Diligence and Abilitys, of our right truſty and well-beloved *Charles* Viſcount *Durſley*, eldeſt Son of our Couſin *George* Earl of *Berkley*, have nominated, made and conſtituted, and by theſe Preſents do nominate, make and conſtitute him our true, real and undoubted Plenipotentiary; giving and granting to him all, and all manner of Licenſe, Power and Authority, and a Command both General and Special, to meet the Plenipotentiarys or Miniſters of our Confederates againſt the ſaid moſt Chriſtian King, or thoſe that are ſufficiently authoriz'd from other Kings, Princes and States in Alliance, who are ready to embrace the ſame Counſels as we and our Confederates, and to conſult, treat and conclude with the ſame of and concerning ways and means for the happy Proſecution of this War, by God's Aſſiſtance, eſpecially in the enſuing Summer, for procuring the Publick Safety, and that of every private Perſon; and alſo if need ſhall be for making the League more ſtrict, or for any other matters that ſhall be thought neceſſary, by the joint Advice of the Partys, and to draw up, demand and receive Articles, Letters and Inſtruments thereupon from the ſaid Miniſters or Plenipotentiarys, and to do and perform all other things neceſſary and fitting, in as ample manner and form as we ourſelves, if we were preſent, cou'd do and perform them; promiſing and engaging on the Word of a King, by virtue of theſe Preſents, that we will ratify and approve the ſame in the beſt Method, and that

we will not contravene any part thereof, but rather that we will religiouſly and inviolably obſerve and cauſe to be obſerv'd, whatever ſhall be promis'd in our Name. In Witneſs and Confirmation whereof, we have caus'd theſe Letters, ſign'd with our own Hand, to be ſeal'd with the Seal of *England*. Given at our Palace at *White-Hall*, *Feb.* 20, $16\frac{88}{89}$, in the ſecond year of our Reign.

WILLIAM Rex.

Full Power of the Lords the States General of the United Provinces.

THE States General of the *United Provinces* of the *Netherlands*, to all Perſons who ſhall ſee theſe Preſents, Greeting. Whereas his Royal Highneſs of *Savoy*, by having declar'd himſelf for the High Allies againſt *France*, has teſtify'd his Deſire to cultivate a ſincere Friendſhip with us, and to enter into more particular Engagements for the Advancement of the common Cauſe, and of the reciprocal Intereſts; and has authoriz'd the Lord Preſident *de la Tour*, his Envoy to our State, to treat thereupon, according as it ſhall be thought convenient on both ſides: and whereas we on our part are no leſs inclin'd to enter into indiſſoluble Bands of Friendſhip with his Royal Highneſs, and to unite ſtrongly with him, we have therefore nominated and deputed the Sieurs *Walrave de Heeckeren*, Baron *de Netelhorſt*, &c. *James* Baron *de Waſſenaer* and *Duyvenvoorde*, &c. *Anthony Heinſius*, Counſellor, Penſionary of *Holland*, &c. *William de Naſſau*, Lord of *Odyke*, &c. *John Abraham de Schurman*, Burgomaſter of *Ylet*, &c. *Gaſper Henry Lemker*, Burgomaſter of *Campen*, &c. and *John Viglius van Heeck* Senator of *Graningen*, &c. reſpectively deputed to our Aſſembly, on the part of the Provinces of *Guelderland*, *Holland* and *Weſtfrieſland*, *Zealand*, *Utrecht*, *Frieſland*, *Overyſſel*, *and Ommeland*, to confer with the ſaid Preſident *de la Tour* concerning ſuch Meaſures as may be moſt conducive to Engagements, and to a ſtrict Union betwixt this State and his Royal Highneſs, either by way of a new Alliance, or elſe by including him in thoſe which have already been made with his Imperial Majeſty, or other Kings, Princes and States; and we have granted, as we do by theſe Preſents grant, to our ſaid Deputys, or the major part of them, in caſe of the Abſence

ence or any other Avocation of the others, full Power and Authority, and ſpecial Command, that on our Part and in our Name, they may treat, agree on, and conclude all Points and Articles that ſhall be thought fit and convenient for the ends aforeſaid, to draw up and receive Deeds thereupon in due Form, and in general to do whatever they ſhall think neceſſary, without having need of any other more particular Order for that purpoſe: Promiſing ſincerely and *bonâ fide*, to agree to every thing that ſhall be agreed on by our Deputys, and to approve and ratify in the beſt form whatever ſhall by them be ſign'd, by virtue of theſe Preſents. In Witneſs whereof, we have caus'd theſe Preſents to be ſign'd by the Preſident of our Aſſembly, and counterſign'd by our Regiſter, and to be ſeal'd with our Seal. Done at the *Hague*, the 14th of *September* 1690.

Full Power of his Royal Highneſs of Savoy, *to treat with the King of* England.

Victor Amadeus II. by the Grace of God, Duke of *Savoy*, Prince of *Piedmont*, King of *Cyprus*, &c. The Goodneſs wherewith the King of *England* has been pleas'd to aſſure us of his Royal Protection, gives us Hopes that his Majeſty will likewiſe approve of granting us the Honour of entring into an Alliance with him. For this end we have given the Preſident *de la Tour*, as we do by theſe Preſents give him, full Powers, to treat of and conclude with his *Britannick* Majeſty, or ſuch Perſon as ſhall by his ſaid Majeſty be deputed, a Treaty of Alliance, under ſuch Covenants, Conditions and Promiſes as he ſhall think proper, tho they ſhou'd be ſuch things as might require a more ample and ſpecial Order than the preſent full Power. Promiſing on the Faith and Word of a Prince, inviolably to obſerve, and punctually to execute every thing that the ſaid Preſident *de la Tour* ſhall treat, conclude, perform, and promiſe, and always to repute it as ſtable, firm and irrevocable, and to ratify it, as we do now ratify it. In Witneſs whereof, we have ſign'd this preſent full Power, caus'd it to be counterſign'd by our Principal Secretary of State, and to be ſeal'd with our Privy Seal. Given at the Camp at *Carignan*, this 15th of *July* 1690.

Sign'd,

V. AMADEUS.

The Duke's full Power for treating with the States General of the *United Provinces* is dated the Day before, but so much reſembles the former, that 'tis needleſs to inſert it.

Convention betwixt the Kings of England *and* Sweden, *and the High and Mighty Lords the States General of the* United Netherlands, *for entring into a Defenſive Triple League, and renewing the former Alliances between the ſaid Kings.* Hague, May $\frac{4}{14}$, 1698.

WHEREAS his Sacred Royal Majeſty of *Sweden*, and the High and Mighty Lords the States General of the *United Netherlands*, by virtue of the ſeparate Article of the Treaty concluded on the $\frac{12}{22}$ of *February* laſt at *Stockholm*, for renewing the Alliances between the Crown of *Sweden* and the *Dutch* Republick, did agree to uſe their moſt ſtrenuous Offices on both ſides, that his Sacred Royal Majeſty of *Great Britain* wou'd be pleas'd to enter into ſuch an intimate Friendſhip, good Correſpondence, ſtrict Union, and defenſive Alliance with the abovemention'd contracting Partys, as they ſhou'd think not only convenient for the Security of the Kingdoms, States, and Dominions of the ſaid contracting Partys, but alſo neceſſary for preſerving the Tranquility of *Chriſtendom*; to which Confederacy and reciprocal Obligation the ſaid King of *Great Britain* did afterwards declare his Reſolution to accede: The Miniſters therefore of the ſaid Kings, and of the Lords the States General of the *United Netherlands*, being to that end veſted with Full Powers, *viz.* on the part of his Sacred Royal Majeſty of *Great Britain*, his Excellency Sir *Joſeph Williamſon* Knight, a Member of his ſaid Sacred Royal

Royal Majeſty's Privy Council, and his Ambaſſador Extraordinary and Plenipotentiary; on the part of his Sacred Royal Majeſty of *Sweden*, his Excellency *Nicholas* Free Baron *de Lillienroot*, Ambaſſador Extraordinary and Plenipotentiary from his ſaid Royal Majeſty to the High and Mighty Lords the States General of the *United Netherlands*; and on the part of the ſaid Lords the States General of the *United Netherlands*, the Lord *Walraven* Baron *de Heeckeren*, &c. when after ſeveral Conferences and mature Deliberation here at the *Hague*, they conſider'd that this Confederacy was ſo circumſtanc'd that it cou'd not be entirely compleated with Eaſe in the ſhort ſpace of time which they had propos'd to themſelves for that end, have thought fit, by virtue of freſh Inſtructions, and after only exchanging the Forms thereof, to begin ſo wholeſome a Work, and to agree for the preſent on ſuch a General Inſtrument of Alliance for the Baſis thereof, as is compris'd in the following Articles.

I. That there be a true, ſincere, and conſtant Friendſhip between his Sacred Royal Majeſty of *Sweden*, his Sacred Royal Majeſty of *Great Britain*, and the High and Mighty Lords the States General of the *United Netherlands*, who by virtue of this Defenſive Alliance do agree to aſſert each other's Security, bind themſelves to promote each other's Profit, Honour and Conveniency, and promiſe to advertiſe each other in time of the Counſels and Machinations of their Enemys, and to help each other with their joint Advice and Aſſiſtance to avert them.

II. The View and Scope of this Triple Alliance ſhall be not only a mutual Friendſhip for the Defenſe and Security of the abovemention'd Partys, but the Preſervation of Peace and Tranquillity againſt any Aggreſſors whatſoever in *Europe*.

III. And that the Confederates aforeſaid may the better agree on the Ways and Means for obtaining this End, 'tis alſo agreed, that certain Plenipotentiarys be forthwith nominated, who, in the name of the Kings abovemention'd, ſhall begin and finiſh the Emendation and Renovation of the Treatys which were formerly enter'd into between the Crowns of *Sweden* and *Great Britain*, as well for eſtabliſhing a ſtricter Friendſhip, as for promoting the Trade of the Subjects of both. Which Renovations nevertheleſs ſhall not hinder nor delay the Miniſters

of

of the Three Confederate Powers from meeting with all ſpeed, from entering into, and promoting the Negotiation for adjuſting all and ſingular the Points which ſhall be thought ſubſervient for the entire compleating of this Triple Alliance.

IV. And the preſent General Convention ſhall now immediately commence, as the ſolid and inviolable Baſis of the ſaid Defenſive Triple League, in ſuch manner that if any of the Confederates happen to be attack'd in a hoſtile manner in their Kingdoms, States or Provinces ſituate in *Europe*, the reſt ſhall without any Excuſe, Delay, or Pretext, furniſh him with preſent Succours; nor ſhall they ceaſe from giving ſuch Aſſiſtance before full Satisfaction is made to the Party injur'd.

V. The contracting Partys ſhall be oblig'd to communicate their Advice to each other, and chiefly to purſue thoſe Meaſures by which a General Peace may be conſolidated and corroborated. And to this end they promiſe really and effectually to aſſiſt one another with mutual Succours, againſt any Aggreſſion whatſoever which may diſturb the Tranquillity of *Europe*.

VI. Nothing in this Convention ſhall derogate from any Treatys or Leagues heretofore concluded at any time between the contracting Partys, but the ſame ſhall remain in entire force.

VII. This Convention ſhall be ratify'd, and the Forms ſhall be exchang'd at the *Hague*, within ſix Weeks, or ſooner, if poſſible, to be reckon'd from the Day of ſigning it. In Witneſs whereof, the ſaid Plenipotentiarys of the abovementionn'd Kings, and of the High and Mighty Lords the States General of the *United Netherlands*, have ſign'd and ſeal'd this Act of Alliance, of which ſix Inſtruments are finiſh'd, *Hague*, *May* $\frac{4}{14}$, 1698.

(L. S.) *JOSEPH WILLIAMSON.*
(L. S.) *NICHOLAS* Baron de *LILLIENROOT.*
(L. S.) *Walraven* Baron de *HEECKEREN.*

Treaty

Treaty of Alliance between William III. *King of* Great Britain, Charles XII. *King of* Sweden, *and the States General of the* United Netherlands; *with ſecret and ſeparate Articles.* Hague, January $\frac{11}{23}$ A. D. 1700.

WHEREAS his Sacred Royal Majeſty of *Sweden*, his Sacred Royal Majeſty of *Great Britain*, and the High and Mighty Lords the States General of the *United Netherlands*, by a Treaty which was concluded and ſign'd at the *Hague*, the $\frac{9}{19}$th of *May* 1698, enter'd into a Confederacy of mutual Defence, as well for the Security of the Kingdoms, States, and Dominions of the contracting Partys, as for preſerving the Peace and Tranquillity of *Chriſtendom*: And whereas in purſuance of the 3d Article of the ſaid Treaty, Miniſters and Plenipotentiarys were to be appointed by all the Partys, to promote and ſettle all and ſingular the Points which might be thought conducive to bring the ſaid Alliance to an entire Concluſion. For this end therefore the moſt Serene and moſt Potent Prince and Lord *Charles* XII. by the Grace of God King of the *Swedes*, *Goths*, and *Vandals*, &c. &c. &c. the moſt Serene and moſt Potent Prince and Lord *William* III. by the Grace of God King of *Great Britain*, *France*, and *Ireland*, &c. &c. &c. and the High and Mighty Lords the States General of the *United Netherlands*, have nominated and conſtituted their Plenipotentiarys, *viz.* the King of *Sweden*, his Excellency *Nicholas* Free Baron *de Lillienroot*, &c. the King of *Great Britain*, his Excellency Sir *Joſeph Williamſon*, and the Lords the States General, the Lords *John Vander Eſſen*, &c. *Francis van Breedenhof*, &c. *Anthony Heinſius*, &c. *William de Naſſau*, &c. *Everard de Weede*, &c. *William van Haaren*, &c. *Arnold Lemker*, &c. *Ludolph Gockinga*, &c. all of 'em Deputys in their Aſſembly; who by virtue of

of the Powers to them granted, and of their ſeveral Inſtructions, have agreed to the following Articles of Alliance.

I. The Treaty of Alliance concluded on the $\frac{4}{14}$th of *May* 1698, ſhall remain in Force, and be confirm'd by virtue of theſe Preſents, in the ſame manner as if it was inſerted herein *verbatim*.

II. In like manner all the Alliances concluded as well between the Kings aforeſaid, as between either of them and the ſaid Lords the States General of the *United Netherlands*, ſhall remain entire and in force, every one according to the Term fix'd for its Duration.

III. And theſe Alliances ſhall take place, not only in the Caſes therein concluded and determin'd, but alſo particularly, if it ſhould happen that one or more of the Confederates and contracting Partys be invaded by reaſon of this Alliance, under any Colour or Pretence whatſoever.

IV. And therefore the contracting Powers abovemention'd do bind themſelves to the reciprocal Guaranty of their Kingdoms, States, Provinces, Juriſdictions, and Territorys in *Europe*; and promiſe to defend one another in the beſt manner againſt all Attacks, Inſults, and Oppreſſions of the Enemy whatſoever; ſo that as ſoon as any one of the Confederates is moleſted, the other Two ſhall haſten to his Defence, according to the Conditions of the Treaty already enter'd into with him, and to the Stipulations of the preſent League: And if the Succours promis'd by theſe Treatys be not ſufficient, all the neceſſary Forces that can be rais'd ſhall be employ'd in the Defence of him who ſhall be injur'd, and for procuring him due Satisfaction.

V. And becauſe the abovemention'd Confederates are of Opinion, that the Security of their Kingdoms, States, Provinces, Juriſdictions, and Territorys, depends in a great meaſure on the Preſervation of a General Peace among the Chriſtian Princes; and foraſmuch as it highly concerns them that their Kingdoms, States, and Provinces, be not diſturb'd in a Tract of Time by Oppreſſions and Attacks from any other Powers, and that they be not involv'd with them in War, they have therefore promis'd one another, and do by theſe Preſents promiſe each other, that they will defend and ſtand by the particular Treatys following.

VI.

VI. *viz.* The Treatys of *Oſnabrug* and *Munſter*, Anno 1648. the Treatys of *Nimeguen*, Anno 1678, and 1679. as alſo the Treaty of Peace between the Emperor and Empire and the Kingdom of *France*, concluded at *Ryſwick*, the 20th day of *October*, Anno 1697. as far as the ſame does not differ from the Treatys of Peace at *Oſnabrug*, *Munſter*, and *Nimeguen*.

VII. As alſo the Treatys of Peace concluded at *Ryſwick*, the 20th of *September* 1697. between the King of *Great Britain*, the King of *France*, and the Lords the States General of the *United Netherlands*.

VIII. And that the ſaid Engagement or Guaranty may have its full Efficacy and Effect, the aforeſaid contracting Partys ſhall uſe all their Endeavours, that the Covenants mention'd in the former Articles may remain entire and inviolable; and if they happen to be infring'd or violated in any manner whatſoever, they ſhall endeavour by amicable ways and means, ſeparately and jointly, to obtain Reparation of the Violation and Infringement of the ſaid Treatys of Peace. But if theſe Endeavours and Offices prove fruitleſs, or if a War ſhou'd be excited before the Partys can be reconcil'd, each of the Confederates ſhall furniſh 6000 Soldiers for performing the ſaid Engagement or Guaranty, and for obtaining Reparation of the Violation and Infringement of the ſaid Treatys of Peace, as ſoon as they ſhall be requir'd by any one of the Confederates, or as ſoon as it ſhall be thought neceſſary, till the Violations and Infringements committed are repair'd, and the Peace is reſtor'd.

IX. Provided nevertheleſs, that the ſaid 6000 Soldiers ſhall not be requir'd as Succour by any of the Confederates any more than once; ſo that if they be ſent to one of the Allies by virtue of this common League, no more are to be ſent; but the Confederates ſhall agree among themſelves about the Place where they are moſt neceſſary.

X. That if any of the Confederates upon an Exigency ſhall furniſh another with the Succours ſtipulated by private Conventions, either in whole or in part, then he ſhall not be oblig'd to give Succours to the ſaid Confederate by virtue of this common League; unleſs the Surplus which remains over and above the number of Succours ſtipulated by the common League, exceeds the number determin'd by the private Treaty.

XI.

XI. But if it ſhall happen that theſe Succours are not ſufficient to eſtabliſh Peace, or if the aforeſaid Confederates, or any one of them, be involv'd in a War, in that caſe the Confederates ſhall treat with one another for increaſing the Succours, according to the Contents of the 4th Article of this Treaty.

XII. The Confederates alſo bind themſelves, that they will not furniſh Succours, or give Aſſiſtance to the Enemys of Him or Them who ſhall be involv'd in War; but, on the contrary, that they will make it their Buſineſs to weaken the Enemy's Forces: and to this end the Allies ſhall conſult together for prohibiting Commerce with the Enemys of ſuch Confederate or Confederates; or how ſuch Enemys may be weaken'd, and how all approach of their Forces may be prevented.

XIII. In caſe that the Succours abovemention'd are to be ſent to a certain Place, the Confederates ſhall unite their Endeavours to render the Paſſage of the Soldiers ſafe and eaſy; and to this end they ſhall uſe their beſt Offices with the Princes whoſe Countrys they are to paſs thro'.

XIV. The ſaid auxiliary Forces, ſent as is already ſaid, ſhall be under Command of the General of the Confederate who is requir'd to ſend them, and ſhall alſo remain united in one and the ſame Body, as long as the nature of the War will admit of it; but the ſaid General ſhall be oblig'd to obey the chief commanding Officer, or General of the Confederate that requires them.

XV. Thoſe Confederates who happen to be involv'd in War, ſhall ſincerely and faithfully communicate to one another every thing that is done, and undertake no Negotiation, nor make any Truce or Peace, without mutual Conſent.

XVI. They ſhall likewiſe confer about all matters with that Confederate who happens not to be engag'd in War, and ſhall alſo comprehend him in the future Treaty of Peace; and in the mean time they ſhall confer with him in what manner the Succours ſent may be made moſt effectual.

XVII. It ſhall be lawful for other Kings, Princes, and States, to accede to the preſent Treaty, as far as their Acceſſion may, by the joint Opinion of the Confederates, be thought conducive to promote and aſſert the Publick Tranquillity.

XVIII.

XVIII. This League ſhall continue 18 Years, and the Ratifications ſhall be exchang'd at the *Hague* in two or three Months, or ſooner, if poſſible.

In Witneſs whereof, We the Plenipotentiarys abovenam'd have ſign'd and ſeal'd the preſent Treaty, of which ſix Inſtruments are drawn; *viz.* I *Nicholas*, Free Baron *de Lillienroot*, for the King of *Sweden*, at the *Hague*, *January* $\frac{13}{23}$ 1700; I *Joſeph Williamſon*, for the King of *Great Britain*, at *London*, *January* $\frac{20}{30}$ 1700; and We the Deputys of the Lords the States General for their High Mightineſſes, at the *Hague*, *January* $\frac{13}{23}$.

(L. S.) *N. LILLIENROOT.*
(L. S.) *J. WILLIAMSON.*
(L. S.) *J. v. ESSEN.*
(L. S.) *Fr. v. BREEDENHOF. Ooſthuyſen.*
(L. S.) *A. HEINSIUS.*
(L. S.) *W. de NASSAU.*
(L. S.) *E. de WEEDE.*
(L. S.) *W. van HAAREN.*
(L. S.) *Ar. LEMKER.*
(L. S.) *L. van GOCKINGA.*

Separate and Secret Articles.

FORASMUCH as there is a Defenſive League concluded this day between his Sacred Royal Majeſty of *Sweden*, his Sacred Royal Majeſty of *Great Britain*, and the High and Mighty Lords the States General of the *United Netherlands*, and it has been thought for the common Intereſt to add certain Articles to it, which ſhall be of the ſame Validity as if they were expreſs'd in the Treaty itſelf, it is therefore agreed as follows:

I. The Confederates abovemention'd ſhall not only defend and maintain the Peace and Treatys mention'd in the 6th and 7th Articles of the principal League, but alſo the Treaty of Peace concluded at *Ryſwick*, the 20th of *September* 1697, between the Kings of *France* and *Spain*.

II. If the King of *Great Britain* and the Lords the States General ſhall be compell'd to take up Arms for the Vindication or Guaranty of the Peace of *Ryſwick*, in that caſe the King of *Sweden* ſhall be oblig'd, inſtead of the

the 6000 Soldiers mention'd in the 8th Article of the principal Treaty, to furniſh them with 10000 Soldiers well cloth'd and arm'd, together with the neceſſary Field-pieces; and the King of *Great Britain*, or the Lords the States General, ſhall pay nothing for muſtering and tranſmitting them; but the Confederate who ſhall require thoſe Auxiliary Forces ſhall maintain them and pay them their Wages, from the very time that they ſet out from their Poſts in *Pomerania* and *Bremen*, according to the accuſtomed Rule and Method in the Pay of the Forces of the Lords the States General; and it ſhall be free for thoſe Forces at all times to be recruited in the Kingdoms and Countrys ſubject to his Sacred Royal Majeſty of *Sweden*.

III. Neither of the Confederates ſhall be oblig'd to ſend the promis'd Succours to *Italy*, *Spain*, or other places of the ſame or greater diſtance; and if the Confederate who calls for Succours has need of 'em there, he ſhall ſend for them elſewhere; but in the mean time he may make uſe of the ſaid Auxiliary Forces in his own or neighbouring Countrys, as well to divert the Enemy, as to defend himſelf and his Confederates.

IV. Foraſmuch alſo as the Tranquillity of the North is what the Confederate Powers abovemention'd have very much at Heart; and whereas for that end they have each of them ſeverally conſtituted themſelves heretofore as Suretys and Guarantees of the Treaty concluded at *Altena*, between the King of *Denmark* and the Duke of *Holſtein Gottorp*; and ſince they are of Opinion that the ſaid Tranquillity of the North depends very much on the Obſervation of this Treaty, they have therefore thought fit to bind one another again by this ſame Treaty, to be Suretys and Guarantees of the ſaid Treaty of *Altena*; and this Suretyſhip and Guaranty ſhall for the preſent take place againſt any Attack and Violence whatſoever: and as for the Controverſy between the King of *Denmark* and the Duke of *Holſtein Gottorp*, it ſhall be referr'd to the Negotiation at *Pinnenberg*, there to be decided as ſoon as poſſible.

V. The Emperor and the King of *Spain* may, if they think fit, accede to this Treaty, as they are Powers to whom the Protection or Guaranty of the Peace of *Ryſwick* chiefly appertains; and Terms of Agreement ſhall be made with them.

VI.

VI. The King of *Great Britain* and the Lords the States General engage, that they will uſe their utmoſt Endeavours with the King of *Spain*, to pay the King of *Sweden* what is become due for the *Swediſh* Ships unjuſtly taken in the late War by the Subjects of the King of *Spain*.

In Witneſs whereof, We the underwritten Ambaſſadors Extraordinary and Plenipotentiarys of the Kings of *Sweden* and *Great Britain*, and the Deputys of the Lords the States General of the *United Netherlands*, mention'd in the principal Treaty, have ſign'd and ſeal'd theſe ſeparate Articles, of which ſix Inſtruments are drawn, *viz.* I *Nicholas*, Free Baron of *Lillienroot*, for the King of *Sweden*, at the *Hague*, *January* $\frac{13}{23}$, Anno 1700; I *Joſeph Williamſon*, for the King of *Great Britain*, at *London*, *January* $\frac{20}{31}$, Anno 1700; and We the Deputys of the Lords the States General for their High Mightineſſes, alſo at the *Hague*, *January* $\frac{13}{23}$, 1700.

(L. S.) *N. LILLIENROOT.*
(L. S.) *J. WILLIAMSON.*
(L. S.) *J. van ESSEN.*
(L. S.) *Fr. van BREEDENHOF van Oofthuyſen.*
(L. S.) *A. HEINSIUS.*
(L. S.) *W. de NASSAU.*
(L. S.) *E. de WEEDE.*
(L. S.) *W. van HAAREN.*
(L. S.) *AR. LEMKER.*
(L. S.) *S. L. GOCKINGA.*

An Alliance Offensive and Defensive between Leopold *Emperor of the* Romans, Anne *Queen of* England, *and the States General of the* United Netherlands, *on the one part, and* Peter II. *King of* Portugal, *on the other part; for asserting the Liberty of* Spain, *for averting the common Danger of all* Europe, *and for defending the Right of the most august House of* Austria *to the* Spanish *Monarchy. At* Lisbon, May 16, 1703. *Together with separate Articles made and confirm'd the same day.*

WHereas the most Serene and most Potent Prince *Leopold* Emperor of the *Romans*, and the most Serene and most Potent Prince *William* III. late King of *Great Britain*, and also the High and Mighty Lords the States General of the United Provinces of the *Netherlands*, enter'd into an Alliance which was concluded at the *Hague*, the 7th of *September* 1701. which after the Death of the said King, the most Serene and most Potent Princess *Anne* Queen of *Great Britain* chearfully undertook to observe; and whereas they invited the most Serene and most Potent *Peter* II. King of *Portugal*, that he wou'd be pleas'd to accede to the said Alliance; and his Sacred Royal Majesty of *Portugal*, being not only prevail'd on by so friendly an Invitation of the Princes the Confederates, but also considering that the most Christian King *Lewis* XIV. since the late Alliance concluded betwixt himself and his Grandson, the most Serene the *Dauphin's*

ſecond Son, and his *Portugueſe* Majeſty, made it evidently appear, both by Tokens and Facts, that his ſole Deſign was to oppreſs the Liberty of the *Spaniards* by a *French* Government, and to annex the Kingdoms and Dominions of *Spain* as ſo many Provinces to the Kingdom of *France*, which wou'd not only be very prejudicial and pernicious to the Intereſts of *Portugal*, but alſo to all the other Kingdoms and Nations of *Europe*; he has thought it moſt juſt and adviſable to uſe his utmoſt Endeavour to avert the common Danger, to free not only the *Spaniards* from the Yoke of Tyranny, but their neighbouring and kindred Nation the *Portugueſe*, who are deriv'd from the ſame Original; eſpecially ſince it were to be fear'd that the preſent Age and Poſterity wou'd have blam'd a King who is a *Spaniard* by Birth and Origin, (for the *Portugueſe* are included in the Denomination of *Spaniards*) if he ſhou'd forſake *Spain* his native Country in the Time of her greateſt Diſtreſs, and refuſe to ſtretch out his friendly Hand to *Spain* their common Mother, which implored the Aſſiſtance of her Children: Therefore ſince nothing was decided concerning the Right of Succeſſion to *Spain* by the Treatys enter'd into between his Sacred Royal Majeſty of *Portugal*, and the moſt Chriſtian King and his Grandſon, which, without prejudging that Cauſe had nothing in View but the promoting the Peace and Tranquillity of *Spain* and the reſt of *Europe*, the ſaid moſt Serene and moſt Potent King of *Portugal* hath therefore thought fit to enter into a Treaty with the ſaid moſt Serene and moſt Potent Prince *Leopold* Emperor of the *Romans*, to whom by the Death of *Charles* the Second without Iſſue, the Succeſſion to the Dominions of *Spain* belongs by Right of Birth and Treatys; and with his Confederates in the ſame Cauſe, *viz.* with the moſt Serene and moſt Potent Princeſs *Anne* Queen of *Great Britain*, and the High and Mighty Lords the States General of the United Provinces of the *Netherlands*; to the end that with their united Counſels and Forces they might make the ſtrongeſt Proviſion for the common Safety, the Liberty of the *Spaniards*, and the lawful Right of Succeſſion to the *Spaniſh* Monarchy. Therefore, in order to bring ſuch Treaty to a Concluſion, his Sacred Imperial Majeſty on the one part hath given his Full Powers and Commiſſion to *Charles Erneſt* Count *Waldſtein*, Knight of the Golden Fleece, hisPrivy Counſellor and his Cham-

An Alliance Offensive and Defensive between Leopold *Emperor of the* Romans, Anne *Queen of* England, *and the States General of the* United Netherlands, *on the one part, and* Peter II. *King of* Portugal, *on the other part; for asserting the Liberty of* Spain, *for averting the common Danger of all* Europe, *and for defending the Right of the most august House of* Austria *to the* Spanish *Monarchy. At* Lisbon, May 16, 1703. *Together with separate Articles made and confirm'd the same day.*

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ſecond Son, and his *Portugueſe* Majeſty, made it evidently appear, both by Tokens and Facts, that his ſole Deſign was to oppreſs the Liberty of the *Spaniards* by a *French* Government, and to annex the Kingdoms and Dominions of *Spain* as ſo many Provinces to the Kingdom of *France*, which wou'd not only be very prejudicial and pernicious to the Intereſts of *Portugal*, but alſo to all the other Kingdoms and Nations of *Europe*; he has thought it moſt juſt and adviſable to uſe his utmoſt Endeavour to avert the common Danger, to free not only the *Spaniards* from the Yoke of Tyranny, but their neighbouring and kindred Nation the *Portugueſe*, who are deriv'd from the ſame Original; eſpecially ſince it were to be fear'd that the preſent Age and Poſterity wou'd have blam'd a King who is a *Spaniard* by Birth and Origin, (for the *Portugueſe* are included in the Denomination of *Spaniards*) if he ſhou'd forſake *Spain* his native Country in the Time of her greateſt Diſtreſs, and refuſe to ſtretch out his friendly Hand to *Spain* their common Mother, which implored the Aſſiſtance of her Children: Therefore ſince nothing was decided concerning the Right of Succeſſion to *Spain* by the Treatys enter'd into between his Sacred Royal Majeſty of *Portugal*, and the moſt Chriſtian King and his Grandſon, which, without prejudging that Cauſe had nothing in View but the promoting the Peace and Tranquillity of *Spain* and the reſt of *Europe*, the ſaid moſt Serene and moſt Potent King of *Portugal* hath therefore thought fit to enter into a Treaty with the ſaid moſt Serene and moſt Potent Prince *Leopold* Emperor of the *Romans*, to whom by the Death of *Charles* the Second without Iſſue, the Succeſſion to the Dominions of *Spain* belongs by Right of Birth and Treatys; and with his Confederates in the ſame Cauſe, *viz.* with the moſt Serene and moſt Potent Princeſs *Anne* Queen of *Great Britain*, and the High and Mighty Lords the States General of the United Provinces of the *Netherlands*; to the end that with their united Counſels and Forces they might make the ſtrongeſt Proviſion for the common Safety, the Liberty of the *Spaniards*, and the lawful Right of Succeſſion to the *Spaniſh* Monarchy. Therefore, in order to bring ſuch Treaty to a Concluſion, his Sacred Imperial Majeſty on the one part hath given his Full Powers and Commiſſion to *Charles Erneſt* Count *Waldſtein*, Knight of the Golden Fleece, his Privy Counſellor and his Cham-

berlain as Emperor and as King of the *Romans* and *Hungary*, and his Ambaſſador Extraordinary in *Portugal*; and the moſt Serene and moſt Potent Princeſs *Anne* Queen of *Great Britain*, to *Paul Methuen* Eſq; her Ambaſſador Extraordinary in *Portugal*; and the High and Mighty Lords the States General of the United Provinces of the *Netherlands*, to *Francis Schonenberg*: And on the other part the moſt Serene and moſt Potent Prince the King of *Portugal* to *Don Nonio de Mello Alvares Pereira*, his deareſt Couſin, Duke of *Cadaval*, General of the Horſe and Foot in this Royal City and the whole Province of *Eſtremadura*, a Member of his Sacred Royal Majeſty's Privy Council, &c. and to *Don Emanuel Telles de Silva*, Marquiſs *d' Alegrette*, a Member alſo of his Royal Majeſty's Privy Council, and Firſt Gentleman of his Bed-Chamber, &c. and to *Don Francis de Tavora Conde de Alvor*, Preſident of the Council for foreign Affairs, and a Privy Counſellor, &c. and to *Don Roque Montegro Paim*, Lord of *Alva*, his Sacred Royal Majeſty's Counſellor and Secretary, &c. and to *Don Joſeph de Faria*, Chief Hiſtoriographer of the Kingdom, Secretary of the Royal Signet, and one of his Sacred Royal Majeſty's Privy Council, &c. Which ſaid Plenipotentiarys, by virtue of the ſaid Full Powers to them reſpectively granted, (which before they ſign'd this Treaty were examin'd carefully, and found to be legal and ſufficient) have after diligent and mature Deliberation, in the name of their abovemention'd Sovereigns, agreed and conſented to the following Articles.

I. The Three Confederate Powers abovemention'd, together with his Sacred Royal Majeſty of *Portugal*, ſhall unanimouſly endeavour, that the moſt Serene Archduke *Charles*, his Imperial Majeſty's ſecond Son, may be put into the poſſeſſion of all *Spain*, as it was poſſeſs'd by the Catholick King *Charles* II. but with this Proviſo, that his Sacred Royal Majeſty of *Portugal* ſhall not be oblig'd to carry on an offenſive War any where, except in *Spain* itſelf.

II. For the carrying on of the ſaid offenſive War in *Spain*, his Sacred Royal Majeſty of *Portugal* ſhall not be oblig'd to bring into the Field and maintain there more than 12000 Foot and 3000 Horſe on his own part.

III. Beſides theſe his Sacred Royal Majeſty ſhall levy

13000

13000 *Portugueſe* Soldiers, that the Forces may amount in all to 28000 Men; of whom 5000 ſhall be Horſe and 23000 Foot.

IV. Of theſe 13000 Soldiers, *viz.* 11000 Foot, and 2000 Horſe, the ſaid 11000 Foot Soldiers ſhall be arm'd with proper Weapons, which the Confederate Powers ſhall furniſh for the purpoſe, and 2000 Arms over and above.

V. The Confederate Powers ſhall be oblig'd to give a Million of Patacoons to his Sacred Royal Majeſty of *Portugal* every Year, as long as the War ſhall continue, for the Expence of the ſaid 13000 Soldiers, as well for their Wages as other Charges which they ſhall be liable to, as well in Quarters as in the Field.

VI. The Pay of the ſaid Million of Patacoons ſhall be ſettled by equal Payments thro' every Month of the Year, *viz.* that part which relates to the Wages of the 13000 Soldiers ſhall commence from the Exchange of the Ratifications, in proportion to the number of Soldiers already rais'd, and to be rais'd forthwith; and as for that part of the Million which is for the extraordinary Expences of the Army when brought out of Quarters, the Payment thereof ſhall commence from the firſt Day that they march out. Provided nevertheleſs, that two Months Pay be always ready at *Lisbon*, for the Diſcharge of the firſt part of this Million; and as for the Payment of the ſecond part, as ſoon as the Army is brought out of Quarters, two Months Pay ſhall be advanc'd beforehand, which ſhall not be reckon'd but in the two laſt Months of the Year.

VII. But if it happen that his Sacred Royal Majeſty of *Portugal* do not raiſe the whole number of 13000 Soldiers aforeſaid, ſuch part of the Wages ſhall be deducted from the Million of Patacoons, as wou'd be ſufficient for the number of Soldiers not muſter'd.

VIII. Beſides the ſaid Million of Patacoons which the Confederate Powers ought to furniſh every Year, for the Pay of the 13000 *Portugueſe* Soldiers, as is premis'd, they ſhall likewiſe be oblig'd to furniſh 500000 Patacoons for accoutring the Army, and other things that ſhall be neceſſary this firſt Year; and they ſhall deliver the ſaid Sum of Money at the time of the Ratification of this Treaty.

IX. The Confederate Powers ſhall furniſh, and always have ready in this Kingdom of *Portugal*, every Year as long as the War ſhall laſt, 12000 Foreign Veteran Soldiers, *viz.* 10000 Foot, a thouſand Light Horſe, and

1000 Dragoons; which 12000 Soldiers they shall furnish not only henceforwards at their own Expence, as far as is necessary, but shall likewise arm and pay them their Wages both in Quarters and in the Field, and shall furnish the Soldiers with Military Bread, and the Horses with Hay and Barley; which said Bread, Hay and Barley shall be afforded to them at the same Price as they have been usually, and are actually afforded to his Sacred Royal Majesty of *Portugal*'s own Soldiers: and this shall be taken care of by his General Receivers and Officers. Provided nevertheless, that his Sacred Royal Majesty of *Portugal* shall be at no manner of Expence for the said foreign Forces, besides providing Hospitals and Carriages, and every thing thereto belonging.

X. His Sacred Royal Majesty of *Portugal* shall furnish 2000 Horses in *Portugal*, to be bought with the Money of the Confederate Powers, for mounting their Cavalry, at the rate of 40000 Rees a Horse for every private Man, and 60000 a Horse for the Officers: and at the same rate they shall be oblig'd to furnish all other Horses which the Confederate Powers shall desire for augmenting their Cavalry.

XI. Together with the abovemention'd 12000 Veteran Soldiers, ten great Brass Guns mounted on their Carriages, and equipp'd with all the other Furniture necessary for the Use of an Army, except the Mules to draw them, shall be brought into the Field at the Expence of the Confederate Powers.

XII. And with the Arms for the 11000 *Portuguese*, part of the 13000 which his Sacred Royal Majesty of *Portugal* is to furnish, there shall be ten other Brass Cannons from 12 to 24 Pounders mounted on their Carriages, which Guns, together with the Arms for the 11000 *Portuguese*, shall be the Property of his Sacred Royal Majesty of *Portugal*, so that they shall not be redemanded of him, nor any Price requir'd for them.

XIII. The Confederate Powers shall be immediately oblig'd to bring into the Field at their own Expence 4000 Quintals of Gun-powder, each Quintal amounting to 128 Pounds *Portuguese* Weight, for the Use of the Expedition of this first Year; and they shall also take care to buy and bring into the Field every following Year, as long as the War continues, 4000 Quintals more of Gun-powder, before the Forces are brought out of their Quarters.

XIV. The

XIV. The Confederate Powers ſhall likewiſe ſend immediately, together with the foreign Forces, two Commanders or General Officers, who ſhall have acquir'd the Character of Lieutenant Generals, of whom his Majeſty ſhall be inform'd beforehand; four Serjeant Majors to muſter the Army; four Officers of Horſe who ſhall diſcharge the Office of Commiſſarys; two Lieutenant Generals of the Ordnance, 12 Engineers, 40 Gunners, ten Workers in Fire-works, 20 Pioneers, all to be paid by the Confederate Powers, in the ſame manner as they are oblig'd to pay for the 12000 foreign Soldiers.

XV. All the foreign Forces which the Confederate Powers are to ſend to, and keep in *Portugal*, ſhall not only be ſubject to his *Portugueſe* Majeſty's Command, but alſo to that of his Governours, Generals, and the Officers who are ſuperior by their Poſts. But for breach of Commands and other wicked Crimes, they ſhall be puniſh'd by the Marſhals or Generals and Auditor Generals of the Army, in the Military way, as the *Portugueſe* themſelves are or ſhall be puniſh'd; eſpecially for thoſe things which relate to the Violation of religious Concerns.

XVI. The Confederate Powers ſhall give all Aid and Aſſiſtance to the King of *Portugal's* Undertakers, in exporting from their Lands all the Gun-powder, Arms, Proviſions, and all the other Inſtruments and Materials for War, whether by Land or Sea, which they ſhall deſire, at the ſame Prices as the ſaid Confederate Powers us'd to get them for their own uſe.

XVII. The Maritime Powers ſhall be oblig'd to have and keep a ſufficient number of Men of War on the Sea-Coaſts, and in the Harbours of *Portugal*, to protect the ſaid Coaſts and Harbours, and the Trade and Merchant-Fleets from Hoſtilitys; ſo that upon notice that the ſaid Harbours and Fleets are likely to be attack'd with a ſuperior Force, the ſaid Confederate Powers ſhall be oblig'd before ſuch caſe happens, to ſend ſuch a number of Men of War to *Portugal* as ſhall be equal, and even ſuperior to the Ships and Forces of the Enemy, who ſhall form a Deſign to attack the ſaid Harbours or Fleets. And as ſudden Caſes may happen upon the Departure of the Ships of the ſaid Confederate Powers from the Coaſt and Harbours of *Portugal*, the ſaid Confederate Powers ſhall be oblig'd to let as many Ships remain in thoſe Seas or Harbours, as

his ſacred Royal Majeſty of *Portugal* ſhall judge neceſſary.

XVIII. But if any Powers make War upon the Dominions and Territorys of the *Portugueſe* beyond the Seas; or if his ſacred Royal Majeſty of *Portugal* be inform'd that the Enemys have ſuch a deſign, the Confederate Powers ſhall afford ſuch a number of Men of War to his ſacred Royal Majeſty of *Portugal*, as ſhall be of equal, if not ſuperior force, not only to repel the Enemy's Ships, but to hinder ſuch War or Deſcent, as often as occaſion ſhall require. But if the Enemys have taken any Town, or poſſeſs'd any Place which they fortify in the ſaid Provinces and Territorys beyond Sea, thoſe Aids ſhall be continu'd till the Towns or Places ſo taken are intirely recover'd.

XIX. All the Auxiliary Ships ſhall be ſubject to the command of his ſacred Royal Majeſty of *Portugal*; and when they go to the Provinces and Territorys of the *Portugueſe* beyond Sea, they ſhall do thoſe things which his ſacred Royal Majeſty's Viceroys and Governours ſhall injoin them in his Name.

XX. But when theſe Auxiliary Ships, of the two Powers, happen in any caſe whatever to be join'd with the *Portugueſe* Ships, the Commander of the *Portugueſe* Squadron or Ships who has the Right of carrying the Flag, ſhall give the Signals, and ſummon a Council of War, which ſhall be held in the *Portugueſe* Commadore's Cabin: and from him Commands ſhall be iſſued for putting the Deliberations of the Council in Execution; which the Captains of the Auxiliary Ships ſhall execute every one in his own Ship.

XXI. Neither Peace nor Truce ſhall be made but by the mutual Conſent of all the Allies: Nor ſhall either be concluded at any time, whilſt his moſt Chriſtian Majeſty's ſecond Grandſon by the *Dauphin*, or any other Prince of *French* Extraction, ſhall continue in *Spain*; and the *Portugueſe* Crown ſhall have the intire Poſſeſſion and Government of all Lands, Kingdoms, Iſlands, States, Territorys, Caſtles, Citys, Towns, Villages, and their Territorys and Appendages, which it hath now in *Spain* and out of *Spain*.

XXII. Nor ſhall Peace be made with the moſt Chriſtian King, unleſs he gives up all the Right he pretends to have to the Countrys belonging to the *North* Cape, and the Additional

ditional Territorys of the State of *Maranon*, lying between the River of *Amazons* and that of *Vincent Piſo*; notwithſtanding any Treaty, either proviſional or deciſive, made between his ſacred Royal Majeſty of *Portugal* and the ſaid moſt Chriſtian King, concerning the Poſſeſſion of, and Right to the ſaid Countrys.

XXIII. After the moſt Serene Archduke *Charles* ſhall have conquer'd *Spain*, he ſhall pay to his ſacred Royal Majeſty of *Portugal* and the *India* Company whatever the Crown of *Spain* was oblig'd to pay to them by virtue of a Convention made with that Crown, as much as if it had been really made with him; and ſhall punctually obſerve all its Obligations and Conditions, and take care that the Payments be made at the Terms therein expreſs'd; *viz.* the firſt Payment at the Arrival of the firſt *India* Fleet or *Flotilla*, which comes to *Spain* after the ſaid moſt Serene Archduke ſhall aſcend the Throne; the ſecond at the Arrival of the ſecond Fleet: and he ſhall perform the other things that are contain'd in the ſaid Convention, ſo as that the Crown of *Portugal* and the *India* Company may obtain all things which they ought to obtain by virtue of the ſaid Convention. And her ſacred Royal Majeſty of *Great Britain*, and the High and Mighty Lords the States General of the *United Netherlands*, bind themſelves as Guarantees for the moſt Serene Archduke's Performance of the Contents of this Article.

XXIV. The moſt Serene Archduke *Charles* ſhall come to *Portugal*, and land there, with all the Auxiliary Forces which the Confederate Powers ought to ſend, as it is ſtipulated and agreed in this Treaty; nor ſhall his ſacred Royal Majeſty of *Portugal* be oblig'd to make War, till the moſt Serene Archduke and all the Succours both of Men and Ships are arriv'd in *Portugal*.

XXV. Moreover, as ſoon as the moſt Serene Archduke arrives in *Portugal*, his ſacred Royal Majeſty of *Portugal* ſhall acknowledge and hold him for King of *Spain*, as King *Charles* II. poſſeſs'd it. Provided nevertheleſs, that he give previous Notification in due form of Law to his ſacred Royal Majeſty of *Portugal*, that the Right by which he is King of *Spain* is lawfully yielded and transfer'd to him.

XXVI. At the ſame time that his ſacred Royal Majeſty of *Portugal* ſhall enter upon the War, the Maritime Pow-

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ers ſhall be oblig'd to ſend a ſtrong Fleet to annoy the Coaſt of *Spain*, in order to give a Diverſion to the Enemy's Forces, and to facilitate the main Buſineſs of the Expedition.

XXVII. For the ſame reaſon the Confederate Powers ſhall be oblig'd to proſecute the War ſtrenuouſly, as well in the *Netherlands* and on the Upper *Rhine* as in *Italy*, at the very time that *Portugal* ſhall carry her Arms into *Spain*; and this ſhall be continued in the ſame manner every Year as long as the War ſhall laſt.

XXVIII. It is provided, that it ſhall not be lawful at any time for the ſaid Potentates to claim or demand from the Crown of *Portugal* all or any part of the Coſts and Charges, which they ſhall incur on account of the Aids to be furniſh'd by virtue of this Treaty, whether in Land-forces and Shipping, or in Money, Arms, Gunpowder, Guns, *&c.* altho the ſame be not particularly provided againſt in all and ſingular the Clauſes and Articles of this Treaty, in which thoſe Aids are ſtipulated.

XXIX. This Treaty ſhall be duly and legally confirm'd and ratify'd by the abovemention'd Principals of the ſaid Plenipotentiarys; and the Ratifications ſhall be exchang'd at *Lisbon* within the ſpace of Three Months from the time of ſigning it.

In Witneſs of all which, we the abovenam'd Plenipotentiarys of his ſacred Imperial Majeſty and his ſacred Royal Majeſty of *Portugal*, and of the High and Mighty Lords the States General of the *United Netherlands*, have ſet our Hands to this Inſtrument, and ſeal'd it with the Seals of our Army. But the Plenipotentiary of her ſacred Royal Majeſty of *Great Britain*, for avoiding the Diſpute between the Crowns of *Portugal* and *Great Britain* concerning Precedence, has, after the manner and cuſtom obſerv'd between both Crowns, ſign'd and ſeal'd other Inſtruments of the ſame Tenor ſeparately. Done at *Lisbon*, *May* 16, 1703.

(L. S.) *C. de* WALDSTEIN.
(L. S.) *SCHONENBERG.*
(L. S.) *D. Marquiſs* PEREIRA.
(L. S.) *Marquiſs d'* ALEGRETTE.
(L. S.) *Conde de* ALVOR.
(L. S.) *Roque* MONTEGRO PAIM.
(L. S.) *Joſeph de* FARIA.

Secret

Secret and Separate Articles.

IT has been agreed that the two Secret Articles underwritten shou'd be added to the Treaty, sign'd and seal'd this Day by the Plenipotentiarys of his Sacred Imperial Majesty, his Sacred Royal Majesty of *Great Britain*, and the High and Mighty Lords the States General of the *United Netherlands* on the one part, and by the Plenipotentiarys of his Sacred Royal Majesty of *Portugal* on the other hand; with this Proviso nevertheless, that they shall be altogether as firm and valid as the intire and substantial part of the said offensive Alliance.

I. 'Tis provided, that the most Serene Archduke *Charles*, after the Right is lawfully yielded and transfer'd to him, for his being King of *Spain* and the *West Indies*, as the Catholick King *Charles* II. possess'd them both, shall yield and give to his Sacred Royal Majesty of *Portugal*, the Towns of *Badajox*, *Albuquerque*, *Valencia*, and *Alcantara* in *Estremadura*, and the Towns of *Guarda*, *Tuy*, *Bayonne* and *Vigo* in the Kingdom of *Galicia*, and all those Towns, Citys and Castles, with the Territorys thereof, as they belong to each respectively, and in the same manner as they are now extended. Which Cession and Donation shall be made to the Crown of *Portugal* for ever, to the end that the Kings of *Portugal* may possess all those Towns, Citys, and Castles, as is premis'd, with the same Title, Propriety and Sovereignty as they were possess'd by the aforesaid Catholick King *Charles* II.

II. Moreover, the most Serene Archduke shall in like manner be oblig'd at the same time to yield and give to his Sacred Royal Majesty of *Portugal*, and to the Crown of that Kingdom for ever, all and every Right which he had, and might have had, to the Countrys situate on the North-side of *Rio de la Plata*, which shall be the Boundary of the *American* Dominions of both Crowns, in such manner, that his Sacred Royal Majesty of *Portugal* may possess and garison them as their true Sovereign, in the same manner as all the other Countrys of his Dominions; notwithstanding any Treaty either provisional or decisive, made with the said Crown of *Spain*. In witness whereof, *&c.* Sign'd as above.

The Treaty of Guaranty for the Proteſtant Succeſſion to the Crown of Great Britain, *and the Barrier of the* States General, *concluded at* Utrecht, *Jan.* 29, 1713. *between the Queen of* Great Britain *and the States General of the* United Netherlands.

WHereas in the Treaty which was concluded the 29th of *October*, 1709. between the moſt Serene and Potent Princeſs *Anne*, Queen of *Great Britain*, *France*, and *Ireland*, Defender of the Faith, *&c.* and the High and Mighty Lords the States General of the *United Netherlands*, about the Succeſſion to the Crown of *Great Britain*, and the Barrier of the *United Provinces*, ſeveral Articles and Clauſes are contain'd, which require a more ample Explanation, and which, without ſome equitable Amendments, are already prejudicial, and may hereafter prove dangerous to the Welfare and Intereſt of her ſaid Royal Majeſty's Subjects; and there are alſo others, which ſince the making of the ſaid Treaty, are become neither neceſſary nor convenient: And whereas it was provided in the 17th Article of the ſaid Treaty, that a certain Agreement ſhould be made ſeparately about the Conditions on which her ſaid Royal Majeſty and the Lords the States General ſhould promiſe and engage to furniſh each other with the neceſſary Aids for the mutual Performance of the Suretyſhips, commonly called Guaranty, which ſaid Agreement was never yet made; her ſaid Royal Majeſty of *Great Britain*, and the Lords the States General of the *United Netherlands*, ſeriouſly conſidering how much it concerns them, that nothing ſhould remain imperfect or obſcure, in a Treaty which is of ſuch great Importance to both Nations, and that no Article which may ſeem grievous to the Subjects of either Party ought to be inſerted in

in a Treaty whoſe End and Purpoſe was to make the Bonds of Friendſhip ſtronger on both Sides, and to make better and more effectual Proviſion for their mutual Security, have thought fit to make a new Treaty, to be added to the other Treatys and Leagues which now ſubſiſt betwixt them; and laſtly, for that End, her Royal Majeſty of *Great Britain*, hath ſufficiently authoriz'd with Commands and Inſtructions ——————; and the Lords the States General have on their Parts ſufficiently authoriz'd ——————; which ſaid Miniſters have, by Virtue of the Full Powers with which they were thus commiſſion'd and authoriz'd, agreed on the following Articles.

I. The Treaty, commonly call'd of Succeſſion and Barrier, which was concluded at the *Hague* on the 29th of *October*, 1709. between the Serene Queen of *Great Britain*, and the Lords the States General of the *United Netherlands*, together with two ſeparate Articles, ſign'd the ſame Day, is to be from henceforwards of no Force or Virtue; and the ſaid Treaty, with the two Articles before-mention'd, are hereby reſcinded and declared void, in the ſame Manner as if they had never been concluded or ratified. But all other Treatys of Peace, Friendſhip, Union and Confederacy, concluded between her ſaid Royal Majeſty and the Lords the States General, are hereby approved and confirm'd, and are to have as much Force and Authority as if they were inſerted in this preſent Treaty.

II. Whereas it was enacted and declared by a certain Law made in the Parliament of *England*, in the 12th Year of the Reign of the late moſt Serene King *William* III. the Title of which is, *An Act for the further Limitation of the Crown, and the better Securing the Rights and Libertys of the Subject*, &c. That after the Deceaſe of the ſaid King, and the preſent Queen, who was then ſtiled Princeſs *Anne* of *Denmark*, and upon Failure of Iſſue of the ſaid King or Queen, that the Crown and Royal Government of *England*, *France* and *Ireland*, with the Dominions thereunto belonging, ſhould deſcend and belong to the moſt excellent Princeſs *Sophia*, Electreſs and Dutcheſs Dowager of *Hannover*, and to her Heirs, being Proteſtants.

And whereas it has ſince that time been enacted in ſeveral Parliaments both of *England* and *Scotland*, that the Succeſſion to the Monarchy of the United Kingdom of *Great Britain*, and the Dominions thereunto belonging,

ſhould, after the Death of the ſaid moſt Serene Queen, and on Failure of Iſſue of her, deſcend and belong to the moſt Excellent Princeſs *Sophia*, and her Proteſtant Heirs; and that all Papiſts, and thoſe of either Sex who marry with Papiſts, ſhall be excluded from the Crown of *Great Britain*, and the Dominions thereunto belonging, and be for ever rendred incapable to inherit, poſſeſs, or enjoy the ſame: Which ſaid Proviſion concerning the ſaid Succeſſion, ſettled by divers Acts of Parliament, was afterwards eſtabliſh'd and confirmed by a certain Law made in the Parliament of *Great Britain*, in the 6th Year of the Reign of her preſent Majeſty, entituled *An Act for the greater Security of her Majeſty's Perſon and Government, and of the Succeſſion to the Crown of* Great Britain *in the Proteſtant Line*, &c. And whereas no foreign Power, nor any Perſon whatſoever, has a Right of calling in queſtion any Proviſion made by a Parliament of *Great Britain*, or of oppoſing the ſame, as concerning the Devolution, Limitation, or Inheritance of the Crown, of the ſame Kingdom: If nevertheleſs it ſhould happen, that any foreign Power or State, or Perſon or Perſons whatſoever, under any Pretence whatſoever, directly or indirectly, by open War or Conſpiracy, or treaſonable Violence, ſhould endeavour to oppoſe the Right of Succeſſion of the Heirs of her Royal Majeſty after her Death; or, for want of ſuch Heirs, the Rights of Succeſſion of the ſaid moſt Excellent Princeſs *Sophia*, or any of her Heirs, to whom the ſaid Succeſſion ſhall then belong, according to the Laws and Statutes of *Great Britain*; the Lords the States General of the *United Provinces* of the *Netherlands* do promiſe and engage, at any Time whatſoever, during the Life of the moſt Serene Queen abovementioned, to aſſiſt her to defend the Right of Succeſſion to the Royal Crown of *Great Britain*, as by the Laws and Statutes of the ſame Kingdom 'tis ſettled and limited, and after the Deceaſe of the aforeſaid moſt Serene Queen, to aſſiſt her Heirs, or for want of them, the abovemention'd Princeſs *Sophia*, or ſuch of her Heirs to whom, as is aforeſaid, the Succeſſion of the Royal Crown of *Great Britain*, after the Deceaſe of the moſt Serene Queen now reigning, ſhall lawfully belong, that they may obtain and keep the Poſſeſſion of the ſame; and to oppoſe any Perſon whatſoever, who ſhall endeavour to obſtruct the Poſſeſſion and Keeping of the Crown aforeſaid; according to ſuch Requeſt, and at ſuch Times, and in ſuch Manner, and with

ſuch

ſuch Proportion of Forces by Land and Sea, as by the 14th Article of this Treaty is more painly expreſs'd.

III. Whereas, by the 5th Article of the Alliance concluded at the *Hague*, the 7th of *September*, 1701. between the moſt Serene Emperor, the moſt Serene King of *Great Britain*, *William* the Third of glorious Memory, and the Lords the States General of the *United Provinces* of the *Netherlands*, it was ſtipulated and agreed, That the ſaid Allies ſhould employ all their Forces to recover the Provinces of the *Spaniſh* Low-Countrys, that they may ſerve as a Barrier and Separation between *France* and the *United Provinces*, and the Security to the States General, as they did heretofore, till the moſt Chriſtian King invaded and took Poſſeſſion of the ſame with his Armys; it is now ſtipulated and agreed, That her Majeſty the Queen of *Great Britain* ſhall uſe all her Efforts and Endeavours in the enſuing Treaty of Peace, not only that the Provinces of the *Spaniſh* Low-Countrys, but alſo what other Towns and Places will be found neceſſary, whether conquer'd or not conquer'd, may ſerve to form the Barrier of the States General.

IV. To this End therefore it is ſtipulated and agreed, That the Lords the States General may put and keep Gariſon, augment and diminiſh the ſame, as they ſhall judge proper, in the Places following; namely, *Furnes*, *Fort Knock*, *Ipres*, *Menin*, the Town and Citadel of *Tournay*, *Mons*, *Charleroy*, the Town and Caſtle of *Namur*, the Caſtle of *Gand*, the Forts *la Perle*, *Philip* and *Damme*, the Fort St. *Donat* being joined to the Fortifications of *Sluice*, and yielded in Property to the States-General. And that the Fort *Rodenhuyſen*, on this ſide *Gand*, ſhall be demoliſh'd.

V. In caſe the ſaid Staſtes General be actually in War againſt *France*, or in mani eſt Danger of being attack'd by *France*, they may put as many Troops as they ſhall think neceſſary into thoſe Towns, Places, and Forts of the *Spaniſh* Low-Countrys, as the Uſage of War, and Neceſſity ſhall require.

VI. They may likewiſe ſend into the Towns, Places, and Forts, where they ſhould have their Gariſons, without any Hindrance, and without paying any Dutys or Cuſtoms, Proviſions, Warlike Ammunitions, Arms, Artillery, Materials for the Fortifications, and, in ſhort, all that may be convenient and neceſſary.

VII. The

VII. The ſaid Lords the States General may alſo put in the Towns, Places, and Forts mention'd in the Fourth Article, where they ſhall have Gariſons, ſuch Governours and Commanders, Majors, and other Officers, as they ſhall think fit, who ſhall not be ſubject to any other Orders, relating to the Security and Military Government of the ſaid Places, but only to thoſe of the States General, excluſive of all others: Yet without Prejudice to the Rights and Privileges, as well Eccleſiaſtical as Political, of the moſt Serene Emperor *Charles* VI.

VIII. Moreover, the ſaid Lords the States General may fortify the ſaid Towns and Places, and the Forts thereunto belonging, and repair the Fortifications thereof, in ſuch manner as they ſhall think neceſſary; and farther, they may do whatever ſhall appear to be uſeful for their Defence.

IX. Now whereas it is agreed, That the Sovereignty of the Provinces of the *Spaniſh* Low-Countrys, both of thoſe that were poſſeſs'd by the late *Charles* II. King of *Spain*, at the Time of his Death, and of thoſe that were not come into his Poſſeſſion, and which might be yielded by *France*, in the future Treaty of Peace, belongs in Property to his Imperial Majeſty; it is therefore neceſſary that there be an Agreement and Stipulation, and accordingly it is agreed and ſtipulated, That all the Revenues, beſides thoſe that be neceſſary for the Support of the Civil Government of the Towns, Places, Caſtles, and their Dependencys, which by Virtue of this Treaty are to become Part of the Barrier, and which did by no means belong to the late *Charles* II. King of *Spain*, at the Time of his Death, ſhall for the future belong to the Lords the States General, and they ſhall levy the ſame for the Uſe and Maintenance of their Gariſons, and for providing for the Fortifications and Magazines, and other neceſſary Expences: But with this expreſs Condition, That neither by Virtue of this Article, nor under any other Pretence, the States General may never aſſume to themſelves the Authority to lay new Taxes or Dutys in the Places above-mention'd, or to raiſe or diminiſh the old. Moreover, it is agreed and ſtipulated, upon the ſame Condition, and no otherwiſe, That towards the Expences before mention'd, a Million of Florins Yearly, or One Hundred thouſand Crowns every Three Months, be paid to the Lords the States General, out of the cleareſt and moſt certain Revenues of the Provinces of the

the *Spaniſh* Low-Countrys, which the late King of *Spain* was in poſſeſſion of at the Time of his Death.

X. No Town, Place, Fort, or Territory of the *Spaniſh* Low-Countrys ſhall be yielded, transferr'd, given, or deſcend to the Crown of *France*, or to any one of the *French* Line, whether by virtue of any Gifts, Sale, Exchange, Marriage-Agreement, Inheritance, Succeſſion by Will or without Will; nor by any Title, or in any other manner whatſoever, ſhall any of the ſaid Provinces be put into the Power, or under the Authority of the moſt Chriſtian King, or of any one of the *French* Line.

XI. And whereas by the ninth Article of the Alliance abovemention'd, concluded the 7th of *September* 1701, it was agreed, That when a Treaty of Peace ſhould be made, the Allies ſhou'd, among other things, agree among themſelves, in what manner the Lords the States General ſhould be put in a Condition of Safety, by means of the ſaid Barrier; her Majeſty the Queen of *Great Britain*, in purſuance of the ſaid Agreement, promiſes, That ſhe will uſe all her Endeavours, to engage his Imperial Majeſty to enter with the Lords the States General into a Treaty, agreeable to all that has been above ſtipulated relating to the Barrier: And her ſaid Majeſty promiſes alſo, that ſhe will continue her good Offices till the aforeſaid Convention be concluded, and that ſhe will guaranty the ſaid Treaty when made.

XII. Whereas the Supreme Authority in the Provinces of the *Spaniſh* Low-Countrys, ſince they happen'd to be recover'd from the Enemy, was put in the Hands of her Majeſty the Queen of *Great Britain*, and of the Lords the States General; and whereas moſt of the Towns, Places, and Forts thereunto belonging are gariſon'd by the Troops of her ſaid Majeſty, and of the Lords the States General; it is now ſtipulated and agreed, That neither the Government of the Provinces abovemention'd ſhall be chang'd, nor the Gariſons drawn out of any of the ſaid Towns, Places, or Forts, until the Commerce and Concerns of the Subjects of *Great Britain* be adjuſted to her Majeſty's Satisfaction, and until the Affairs and Intereſts of the Subjects of the United Provinces of the *Netherlands* be regulated according to the intention of their High Mightineſſes the States General, and the Barrier of the Lords the States General be ſettled and ſecured in the manner abovemention'd.

XIII. And whereas Experience has ſhewn, That it is

highly neceſſary to obviate not only any Obſtruction, Interruption, or any other Grievance that may befal the Commerce of *Great Britain*, from the Lords the States General being allow'd the Right to gariſon ſo many Places that are ſeated on Rivers and Canals, and other Parts of the Provinces of the *Spaniſh* Low-Countrys, but alſo to prevent all Frauds and Colluſions that may be ſet on foot thro' Abuſe (or under Colour) of the Privilege or Immunity granted to them by the Sixth Article of this preſent Treaty; it is agreed and ſtipulated, That the Subjects of the moſt Serene Queen of *Great Britain* ſhall, for the future, both in Time of War, and in Time of Peace, enjoy the ſame Privileges, Immunitys, Franchiſes, and all manner of Advantages, in relation to Trade, as well for Importation as Exportation, which they ever enjoy'd heretofore, in all the Places and Towns of the Provinces of the *Spaniſh* Low-Countrys, and of the Barrier that is to be yielded to the ſaid States General; and moreover, that they ſhall enjoy all the Privileges, Immunitys, Franchiſes, and Advantages, which either have already been granted, or in any time to come ſhall be granted, to the Subjects of the States General in the Provinces of the *Spaniſh* Low-Countrys, and of the Barrier: In ſuch a manner that no Officer, Civil or Military, ſhall ever be ſuffer'd to hinder, or delay the free Paſſage of the Merchandizes belonging to the ſaid Subjects of *Great Britain*. And the ſaid States General promiſe and engage, That, as far as it ſhall lie in their power, they ſhall cauſe ſevere Puniſhments to be inflicted on him or them, who ſhall be convicted of having, in any manner, acted contrary to the Meaning and Intent of this Article. Moreover, the ſaid States General promiſe and engage, That they will give ſtrict and effectual Orders, and cauſe the ſame to be carefully obſerv'd, That, under Colour or Pretence of conveying, or bringing in Proviſions, warlike Stores, and other Things mention'd in the fiifth Article of this Treaty, no Frauds be committed as to the Dutys and Cuſtoms laid on Wares and Merchandize, which Wares and Merchandize ſhall not be laden or tranſported in the ſame Veſſels, Boats, or other Carriages, together with the ſaid Proviſions, and warlike Stores. And to the end that ſuch particular Rules and Conditions may be ſettled, as may be neceſſary for the better and more effectual Performance of this general Article, it is moreover hereby agreed, That Com-

Commiſſioners be named on each ſide, who, within the Space of fifteen Days from the Signing of the preſent Treaty, ſhall meet to ſettle and adjuſt between themſelves, and with the Commiſſioners of his Imperial Majeſty, if he pleaſes to name any on his part, all Things relating to the Traffick and Commerce that ſhall be made in the *Spaniſh* Low-Countrys, and in the Places belonging to the Barrier, according to the true Senſe and cleareſt Meaning of this Article.

XIV. And to the end that the Suretiſhips or Guarantys mutually undertaken by virtue of this Treaty, may be the better and the more certainly executed, it is ſtipulated and agreed, that the moſt Serene Queen of *Great Britain*, and her Heirs or Succeſſors, ſhall, at the Requeſt of the Lords the States General, and not otherwiſe, furniſh the Succours hereafter expreſs'd, to make good the Guaranty of the Barrier; and in like manner the Lords the States General ſhall, at the Requeſt of her Royal Majeſty, or (after her Deceaſe) of the next Heir born of her Body, or (on failure thereof) of the next Proteſtant Heir who ſhall at that time have a Title to the Crown by virtue of the Acts and Statutes of *Great Britain*, and not otherwiſe, furniſh the Succours hereafter mention'd to make good the Guaranty concerning the Succeſſion to the Crown of *Great Britain*. And it is further ſtipulated and agreed, that in caſe either of the Partys contracting ſhall be required in the manner aforeſaid, the Succours which are to be furniſhed, ſhall be ſent according to the following Proportions: Namely, the moſt Serene Queen of *Great Britain*, her Heirs and Succeſſors, ſhall ſend 10000 Foot to the Aſſiſtance of the Lords the States General, and on the other hand, the Lords the States General ſhall ſend to the Aſſiſtance of her Royal Majeſty, her Heirs and Succeſſors, 6000 Foot, well provided with Arms, under ſuch Generals, and other Officers, and diſtributed into ſuch Riegments and Companys as ſhall ſeem good to her Royal Majeſty, her Heirs and Succeſſors, if ſhe or they ſhall ſend ſuch Succours; and as the Lords the States General ſhall think fit, if the Succours ſhall be ſent by them. Each Party ſhall alſo be oblig'd to fit out twenty Men of War well equipped, and provided with all Neceſſarys. And the Succours aforeſaid ſhall be maintained at the Expence of the Party that ſhall ſend them, for the Uſe and Behoof of the Party who ſhall have requeſted them. But if it ſhall happen that the Danger be ſo ſudden, that there ſhould

be no Time left for any friendly Applications, and ſo great as to require a greater Number of Forces and Ships of War, then each Party ſhall be oblig'd, being requir'd by the other to augment their Succours, to declare War againſt the Aggreſſor, and to join all their Forces by Land and Sea with the Forces of the Party attack'd.

XV. Moreover 'tis agreed, That all Kings, Princes, and States, that deſire to come into this Treaty, may be invited and admitted thereunto; provided the ſaid Invitation and Admiſſion proceed jointly, and not ſeparately, from the moſt Serene Queen of *Great Britain*, and the Lords the States General.

XVI. Her Majeſty the Queen of *Great Britain*, and the Lords the States General, have confirm'd and ratify'd all that is contained, generally and particularly, in this Treaty.

Done at Utrecht, January 29th, 1713.

In Witneſs whereof, the underwritten Plenipotentiarys having exchang'd reciprocally their full Powers, have ſign'd this Treaty, and put their Seals thereto the $\frac{12}{23}$ of *January*, $17\frac{2}{13}$.

(L. S.) *J. Briſtol.*
(L. S.) *Strafford.*
(L. S.) *J. W. Randwyk.*
(L. S.) *G. Buys.*
(L. S.) *B. V. Duſſen.*
(L. S.) *F. A.* Baron *de Rhede Renſwoude.*
(L. S.) *S. V. Goſlinga.*
(L. S.) Count *de Kniphuyſen.*

The RATIFICATION.

WE having ſeen and conſider'd the aforeſaid Treaty, have approved and ratify'd, as we do by theſe Preſents, for us, our Heirs and Succeſſors, approve and ratify the ſame; engaging our Royal Word, and promiſing to execute and obſerve ſincerely and faithfully all that is contained in the ſaid Treaty, and never to ſuffer (ſo far as in us lies) any Perſon whatſoever to violate the ſame, or in any manner to act contrary thereto. In Witneſs whereof, We have ſign'd theſe Preſents with our Royal Hand, and cauſed our Great Seal of *Great Britain* to be affix'd

affix'd to the ſame. Given at our Palace of St. *James*, the 2d of *February*, 1712-13, in the 11th Year of our Reign.

ANNE R.

A Declaration and Engagement concerning the Rights and Privileges of the Britiſh *Merchants in the Kingdom of* Sicily, *made at* Utrecht *the 8th of* March *N. S.* 1712-13.

WHereas by ſeveral Treatys of Peace, Alliance, Commerce and Navigation, formerly made between the Kingdoms of *Great Britain* and *Spain*, and at this Time ſubſiſting, but more particularly by the Treaty concluded at *Madrid*, the $\frac{13}{23}$ of *May*, in the year 1667, and the Cedulas annex'd thereunto, Proviſion was made for the Freedom, Security, and perfect Eaſe of the Commerce of the *Britiſh* Subjects trading in the Kingdoms and Provinces of *Spain*; the Obſervance and Uſage of which Treatys have been hitherto receiv'd in the Kingdom of *Sicily*, in the ſame manner as in any other the Dominions of *Spain*, and have remained there in full Force, except ſome Variations which have been introduced in the Courſe of Time; for the rectifying whereof, according to the Rule of thoſe Treatys, *Great Britain* has juſtly inſiſted hitherto.

Wherefore on occaſion of transferring the Kingdom of *Sicily* to his Royal Highneſs the Duke of *Savoy*, her Sacred Majeſty of *Great Britain* being watchful to preſerve the Rights and Privileges of her Subjects trading in the ſaid Kingdom, and being likewiſe willing to preſerve to the *Sicilians* the Privileges they have in *Great Britain*, which are ſo very dear to the moſt Serene the Duke of *Savoy*, hath been graciouſly pleas'd to give Inſtructions to her underwritten Miniſters Plenipotentiarys to agree with the Miniſters Plenipotentiarys of his Royal Highneſs

of *Savoy* about making Declarations mutually upon this Subject. In purſuance thereof the ſaid Miniſters Plenipotentiarys of his Royal Highneſs, in the name of their moſt Serene Maſter, do moſt ſolemnly declare and promiſe, that during the Reign of the aforeſaid moſt Serene Duke in *Sicily*, as likewiſe of his Heirs and Succeſſors, the *Britiſh* Merchants are henceforward to have, and ſhall effectually have, uſe, and enjoy all thoſe Rights, Privileges, Libertys and entire Security, as to their Perſons, Goods, Ships, Seamen, Trade and Navigation in the ſaid Kingdom of *Sicily*, which by virtue of the Treatys made between *Great Britain* and *Spain* they have hitherto enjoy'd, or ought to enjoy: And to that end that all Abuſes which deviate from the Tenor of the ſaid Treatys ſhall be forthwith removed, and the Rights and Privileges acquired to the *Britiſh* Subjects, by virtue of the aforeſaid Treatys, ſhall not on any occaſion or under any pretence, ever be violated or leſſen'd. And if hitherto any more favourable Privileges have been granted, or ſhall hereafter be granted, to the Merchants of any other Foreign Nation, any way relating to the Perſons of the Traders, their Ships, Goods, Dutys, or the Buſineſs of Merchandizing, the *Britiſh* Merchants ſhall likewiſe in all reſpects, and in the fulleſt manner, enjoy the ſame.

And in like manner, the Miniſters Plenipotentiarys of *Great Britain* do, in the name of her Majeſty, confirm that the *Sicilians* ſhall hereafter enjoy the ſame Privileges and Libertys which they have hitherto enjoy'd, or ought to have enjoy'd, as Subjects of the King of *Spain*, by virtue of the aforeſaid Treaty of the Year 1667.

The Ratifications of this preſent Declaration and Engagement made in due Form ſhall be exchang'd at *Utrecht*, within 6 Weeks, or ſooner, if poſſible. In Witneſs and Confirmation whereof, the aforeſaid Miniſters Plenipotentiarys of her Majeſty of *Great Britain*, and of his Royal Highneſs of *Savoy*, have ſign'd this preſent Inſtrument with their own Hands, and put their Seals thereunto, at *Utrecht*, $\frac{25}{8}$ $\frac{\text{Febr. O. S.}}{\text{March, N. S.}}$ 1713.

(L. S.) *JOHN BRISTOL* C. P. S.
(L. S.) *STRAFFORD.*
(L. S.) The Count *de MAFFEI.*
(L. S.) *M. de BOURG.*
(L. S.) *P. MELLAREDE.*

The

an Explanation. Vol: 4 P. 229

The Assiento, *adjusted between their* Britannick *and Catholick Majesties, for the* English *Company's obliging itself to supply the* Spanish West-Indies *with black Slaves, for the Term of thirty Years, to commence on the first Day of* May 1713, *and to end the same Day in the Year* 1743.

The KING.

WHEREAS *the* Assiento *agreed on with the Royal* Guinea *Company settled in* France, *for the introducing of Negro Slaves into the* Indies, *is determin'd; and the Queen of* Great Britain *being desirous of coming into this Commerce, and in her Name the* English *Company, as is stipulated in the Preliminarys of the Peace, and that this* Assiento *should continue for the Time and Space of thirty Years;* Don Manuel Menasses Gilligan, *deputed by her Majesty of* Great Britain, *did, in pursuance thereof, put into my Hands a Draught made for that purpose, containing Forty two Articles, for the regulating this Contract; which I referred to the Consideration of a Junta of Three Ministers of my Council of the* Indies; *that upon perusal thereof, they might report to me what should occur to them upon each Article or Condition. Which being done, and several Points remaining upon this Examination undetermined and controverted, I referr'd it back to another Junta; and being fully informed of the whole Matter, notwithstanding the Objections made by both Juntas, it being my Intention to conclude and finish this* Assiento, *with all possible Condescension and Complacency towards the Queen of* Great Britain, *I have thought fit, by my Royal Decree of the Twelfth of this present Month, to admit and approve of the said Forty two*

Articles, contained in the forementioned Draught, in the manner hereafter ſpecified, with the Enlargement which over and above I have of my own free Will reſolved to grant to the ſaid Company by my ſaid Decree. All which is in the manner following.

I. FIRST then, to procure, by this means, a mutual and reciprocal Advantage to the Sovereigns and Subjects of both Crowns, her *Britiſh* Majeſty does offer and undertake for the Perſons whom ſhe ſhall name and appoint, That they ſhall oblige and charge themſelves with the bringing into the *Weſt-Indies* of *America*, belonging to his Catholick Majeſty, in the Space of the ſaid Thirty Years, to commence on the firſt Day of *May*, One thouſand ſeven hundred and thirteen, and determine on the like Day, which will be in the Year One thouſand ſeven hundred and forty three, *viz.* One hundred and forty four thouſand Negroes, *Piezas de India*, of both Sexes, and of all Ages, at the rate of Four thouſand and eight hundred Negroes, *Piezas de India*, in each of the ſaid Thirty Years; with this Condition, that the Perſons who ſhall go to the *Weſt-Indies* to take care of the Concerns of the Aſſiento, ſhall avoid giving any Offence; for in ſuch Caſe they ſhall be proſecuted and puniſhed in the ſame manner as they would have been in *Spain*, if the like Miſdemeanors had been committed there.

II. That for each Negro, *Piezas de India*, of the regular Standard of Seven Quarters, not being old or defective, according to what has been practiſed and eſtabliſhed hitherto in the *Indies*, the Aſſientiſts ſhall pay Thirty three Pieces of Eight (*Eſcudos*) and One third of a Piece of Eight; in which Sum ſhall be accounted to be, and ſhall be comprehended, all and all manner of Dutys of *Alcavala*, *Siza*, *Union de Armas*, *Boqueron*, or any other Duty whatſoever, of Importation or *Regalia*, that now are, or hereafter ſhall be impoſed, belonging to his Catholick Majeſty, ſo that nothing more ſhall be demanded: and if any ſhould be taken by the Governors, Royal Officers, or other Miniſters, they ſhall be made good to the Aſſientiſts, on account of the Dutys which they are to pay his Catholick Majeſty of 33⅓ Pieces of Eight, as aforeſaid, the ſame being made appear by an authentick Certificate, which ſhall not be denied by any Publick Notary, thereunto required on the

part of the Aſſientiſts; for which purpoſe a General Order (*Cedula*) ſhall be iſſued in the moſt ample form.

III. That the ſaid Aſſientiſts ſhall advance to his Catholick Majeſty, to ſupply the urgent Occaſions of the Crown, Two hundred thouſand Pieces of Eight (*Eſcudos*) in two even Payments of One hundred thouſand Pieces of Eight each, the firſt to be made two Months after his Majeſty ſhall have approv'd and ſign'd this *Aſſiento*; and the ſecond at the end of two other Months next after the firſt Payment: which Sum ſo advanced, is not to be reimburſed before the firſt end of the Twenty Years of this *Aſſiento*, and then it may be deducted by equal Portions in the Ten laſt remaining Years, after the Rate of Twenty thouſand Pieces of Eight yearly, out of the Produce of the Duty upon Negroes which they are to pay in thoſe Years.

IV. That the Aſſientiſts ſhall be oblig'd to pay the aforeſaid Advance of Two hundred thouſand Pieces of Eight in this Court; as alſo from Six Months to Six Months the half of the Amount of the Dutys payable for the *Piezas* of Slaves, which they have agreed to import yearly.

V. That the Payments of the ſaid Dutys ſhall be made in the manner mention'd in the foregoing Article, without any Delay or Diſpute, or without putting any other Interpretation upon it; yet, with this Declaration, that the Aſſientiſts ſhall not be oblig'd to pay the Dutys for more than Four thouſand Negroes (*Piezas de India*) yearly, and not for the remaining Eight hundred, the Dutys payable for theſe laſt during the whole Thirty Years of this *Aſſiento*, being to be, as they are hereby, given and granted to them the ſaid Aſſientiſts, by his Majeſty, in the beſt Form and Manner poſſible, in conſideration of the Riſques and Intereſt that ought to be made good to the Aſſientiſts, for the Money advanced, and Payment in this Court of the Dutys for the ſaid Four thouſand *Piezas*.

VI. That the ſaid Aſſientiſts, after they ſhall have imported the Four thouſand eight hundred Negroes yearly, according to their Contract, if they find it neceſſary for his Catholick Majeſty's Service, and that of his Subjects, to import a greater Number, they ſhall have Liberty to do it, during the firſt twenty five Years of this Contract, (for as much as in the Five laſt Years they ſhall import no more than the Four thouſand eight hundred agreed upon;) with Condition, that they ſhall pay no more than Sixteen

Pieces

Pieces of Eight, and Two thirds of a Piece of Eight, for all Dutys on each Negro, *Pieza de India*, which they ſhall import over and above the ſaid Four thouſand eight hundred, that being the Half of Thirty three Pieces of Eight, and One third abovemention'd; and this Payment alſo ſhall be made in this Court.

VII. That the ſaid Aſſientiſts ſhall be at liberty to employ in this Commerce, for the carrying of their Cargoes, her Majeſty of *Great Britain's* own Ships, or thoſe of her Subjects, or any belonging to his Catholick Majeſty's Subjects, (paying them their Freight, and with the Conſent of their Owners) navigated with *Engliſh* or *Spaniſh* Mariners, at their Choice; care being taken that neither the Commanders of thoſe Ships employ'd by the Aſſientiſts, nor the Mariners, do give any Offence, or cauſe any Scandal to the Exerciſe of the Roman Catholick Religion, under the Penaltys, and purſuant to the Regulations, eſtabliſh'd by the 1ſt Article of this Aſſiento. And alſo it ſhall be lawful for the ſaid Aſſientiſts, and they ſhall have Power to introduce their Black Slaves contracted for into all the Ports of the *North* Sea and of *Buenos Ayres*, in any of the aforemention'd Ships, in like manner as has been granted to any former Aſſientiſts; however, always with this Aſſurance, that neither the Commanders nor Seamen ſhall occaſion any Scandal to the Roman Catholick Religion, under the Penaltys already mention'd.

VIII. That whereas Experience has ſhewn it to be very prejudicial to the Intereſt of his Catholick Majeſty, and his Subjects, that it hath not been lawful for the Aſſientiſts to tranſport their Negroes into all the Ports of *India* in general, (it being certain that the Provinces which have not had them, endured great Hardſhips for want of having their Lands and Eſtates cultivated, from whence aroſe the neceſſity of uſing all imaginable ways of getting them, even tho it were fraudulently) it is made an expreſs Condition of this Contract, that the ſaid Aſſientiſts may import and vend the ſaid Negroes in all the Ports of the *North* Sea, and that of *Buenos Ayres*, at their Choice; his Catholick Majeſty revoking, as he does revoke, the Prohibition contained in the other former Aſſientos, to import them into any other Ports than thoſe therein mention'd, with this Reſtriction, that the ſaid Aſſientiſts may not import, or land any Negro, except in thoſe Ports

Ports where there are Royal Officers, or their Deputys, who may ſearch the Ships and their Cargoes, and certify the Number of Negroes that are imported. And it is provided at the ſame time, that the Negroes which are carried to the Ports of the Windward Coaſt, *Santa Martha*, *Cumana*, and *Maracaybo*, ſhall not be ſold by the ſaid Aſſientiſts for more than after the Rate of Three Hundred Pieces of Eight each, and for as much leſs as is poſſible, to encourage the Inhabitants of thoſe Places to buy them; but as to the other Ports of *New Spain*, its Iſlands, and *Terra Firma*, it ſhall be lawful for the ſaid Aſſientiſts to ſell them at the beſt Prices they ſhall be able to get.

IX. That the ſaid Aſſientiſts being allowed, for the Reaſons mention'd in the foregoing Article, to import their Negroes into all the Ports of the *North* Sea, it is alſo agreed that they ſhall have power to do it in the River of *Plata*, his Catholick Majeſty allowing them out of the Four Thouſand eight Hundred Negroes, which purſuant to this Aſſiento they are to import yearly, (in conſideration of the Advantages and Benefits that will thereby accrue to the neighbouring Provinces) to bring into the ſaid River of *Plata* or *Buenos Ayres*, in each of the ſaid Thirty Years of this Aſſiento, to the Number of One Thouſand and Two Hundred of theſe *Piezas de India* of both Sexes, to ſell them there at ſuch Prices as they ſhall be able, ſhipping the ſame in four Veſſels, large enough to carry them; Eight Hundred of them to be diſpoſed of at *Buenos Ayres*, and the remaining Four Hundred may be carry'd into and ſerve for the Provinces above, and Kingdom of *Chili*; ſelling them to the Inhabitants, if they will come to buy them, in the ſaid Port of *Buenos Ayres*. It being hereby declared, that her *Britannick* Majeſty, and the Aſſientiſts in her Name, may hold in the ſaid River of *Plata* ſome Parcels of Land, which his Catholick Majeſty ſhall appoint or aſſign, purſuant to what is ſtipulated in the Preliminarys of Peace, from the time of the commencing of this *Aſſiento*, ſufficient to plant, to cultivate and breed Cattle therein, for the ſubſiſtence of the Perſons belonging to the *Aſſiento*, and their *Negroes*; and they ſhall be allowed to build Houſes there of Timber, and not of any other Materials, and they ſhall not throw up the Earth, nor make any the leaſt (or ſlighteſt) Fortification. And his Catholick Majeſty ſhall alſo appoint an Officer to his Satisfaction, one of his own Subjects, who ſhall reſide

reſide upon the aforemention'd Lands, under whoſe Command are to be all ſuch things as relate to the ſaid Land: and all other matters that concern the *Aſſiento*, ſhall be under that of the Governor and Royal Officers of *Buenos Ayres*: and the Aſſientiſts ſhall not, on account of the ſaid Lands, be oblig'd to pay any Dutys during the time of the ſaid *Aſſiento*.

X. In order to the carrying and introducing of Black Slaves into the Provinces of the *South-Sea*, Liberty is to be granted, as it is hereby granted to the Aſſientiſts, to freight either at *Panama*, or in any other Dock or Port of the *South-Sea*, Ships or Frigats of about Four hundred Tons, little more or leſs, on board which they may ſhip them at *Panama*, and carry them to all the other Ports of *Peru*, and no others on that ſide; and to man thoſe Ships with ſuch Seamen, and appoint ſuch Officers, both Military and for Sea, as they ſhall think fit; and may bring back the Produce of the Sale thereof to the ſaid Port of *Panama*, as well in Fruits of the Country, as in Money, Bars of Silver, or Ingots of Gold, and ſo as they may not be oblig'd to pay any Dutys for the Silver or Gold which they ſhall bring, either upon Importation or Exportation, it being ſtamped, and without Fraud, and appearing to be the Produce of the Negroes, for that the ſame is to be free of all ſorts of Dutys, in the ſame manner as if the ſaid Money, Bars of Silver, and Ingots of Gold, belonged to his Catholick Majeſty. And likewiſe leave is granted to the ſaid Aſſientiſts to ſend from *Europe* to *Portobello*, and from *Portobello* to *Panama*, by the River *Chagre*, or by Land-Carriage, Cables, Sails, Iron, Timber, and likewiſe all other Stores and Proviſions, neceſſary for the ſaid Ships, Frigats, or Barcoluengo's, and for the maintaining the ſame; provided that they ſhall not be allowed to ſell or trade in the ſaid Stores, in the Whole nor in Part, under any pretence whatſoever; for that in ſuch caſe they ſhall be confiſcated, and as well the Buyers as the Sellers ſhall be puniſhed according to Law: and the Aſſientiſts ſhall be, from that time forward, abſolutely deprived of this Privilege, unleſs it ſhall appear that they had obtain'd leave for the Sale thereof from his Catholick Majeſty. And it is farther provided, that when the Term of this *Aſſiento* is ended, the ſaid Aſſientiſts ſhall not be allow'd to make uſe of the ſaid Ships, Frigats, or Barks, to carry them to *Europe*, becauſe of the Inconveniencys that might enſue.

XI. The

XI. The ſaid Aſſientiſts may make uſe of *Engliſh* or *Spaniards* at their choice, for the Management and Direction of this *Aſſiento*, as well in the Ports of *America*, as in the Inland Places, his Catholick Majeſty diſpenſing for that end, with the Laws which forbid Strangers entring into or inhabiting in that Country; declaring and commanding, that the *Engliſh*, during the whole time of this *Aſſiento*, ſhall be regarded and treated as if they were Subjects of the Crown of *Spain*: with this Reſtriction, that there ſhall not reſide in any one of the ſaid Ports of the *Indies*, more than four or ſix *Engliſhmen*; out of which Number the ſaid Aſſientiſts may chuſe ſuch as they ſhall think fit, and ſhall have occaſion to ſend up into the Country, where Negroes are allow'd to be carried, for the Management and Recovery of their Effects; which they ſhall perform in the moſt convenient manner, and that which they ſhall think beſt, under the Regulation mentioned in the 1ſt Article, without any Hindrance or Diſturbance from any Miniſters Civil or Military, of what Degree or Quality ſoever, under any pretence, unleſs they can be charg'd with acting contrary to the eſtabliſhed Laws, or to the Contents of this Aſſiento.

XII. That for the better Management of this Aſſiento, his Catholick Majeſty will be pleaſed to grant, that as ſoon as the Peace is proclaimed, her *Britannick* Majeſty may ſend two Ships of War with the ſaid Factors, Officers and others, who are to be employed in this Service, giving firſt a Liſt of the Names both of the one and the others, that are to go aſhore in all the Ports, where they ſhall be allow'd to ſettle and regulate their Factorys, as well that they may go with the greater Conveniency and Security, as that they may provide all things neceſſary for the receiving the Veſſels that ſhall go with Negroes; which being oblig'd to go to take the Blacks in upon the Coaſt of *Africa*, and thence tranſport them to the Port of the *Spaniſh America*, it would be very incommodious as well as unprofitable, for the Factors and others employ'd, to go on board the Ships made uſe of in thoſe Voyages; and yet it is indiſpenſably neceſſary that Houſes be prepared before-hand for them to dwell in, and all other Proviſions made which they ſhall want; and for the Tranſporting of the Factors, and others, belonging to the Company, to *Buenos Ayres*, a Veſſel of a midling Burthen ſhall be allowed. And it is hereby declar'd, That as well

well this Veſſel, as the two Ships of War, are to be viſited and ſearch'd in the ſeveral Ports by the Royal Officers, who may ſeize their Merchandize, if they carry any. And farther, the ſaid Ships ſhall be furniſh'd with neceſſary Proviſions for their return, at a reaſonable Rate.

XIII. The ſaid Aſſientiſts may nominate, in all the Ports and chief Places of *America*, Judges-Conſervators of this *Aſſiento*, whom they may remove and diſplace, and appoint others at pleaſure, in the manner allow'd to the *Portugueſe* in the eighth Article of their *Aſſiento*; provided always that they ſhew a juſtifiable Cauſe for their ſo doing, before the Preſident, Governour, or Audience of ſuch Diſtrict, which ſhall be by them reſpectively approv'd, ſo as this Nomination may fall on ſome of his Catholick Majeſty's Miniſters; which ſaid Judges are to have Cognizance, excluſive of all others, of all Cauſes, Affairs and Suits, relating to this *Aſſiento*, with full Authority and Juriſdiction: All Audiences, Miniſters and Tribunals, Preſidents, Captains General, Governours, Corregidores, Great Alcaides, and other Judges and Juſtices whatſoever, the Vice-Roys of thoſe Kingdoms included, being forbidden to meddle therewith; foraſmuch as the ſaid Judges Conſervators are alone to have the Cognizance of theſe Cauſes and their Incidents, from whoſe Sentences an Appeal (in ſuch Caſes as the Law allows) ſhall lie to the Supreme Council of the *Indies*; with this Condition, that the ſaid Judges Conſervators may not demand or pretend to greater Salarys than thoſe the Aſſientiſts ſhall think good to allow them for that Service; and if any of them exact any more, his Catholick Majeſty will order it to be reſtor'd. He will alſo grant that the Preſident or Governour of the ſaid Council for the time being, or the Decano (eldeſt Member) thereof, ſhall be Protector of this *Aſſiento*; and alſo that they may propoſe a Miniſter of the ſame Council, (whom they ſhall think moſt proper) to be their Judge-Conſervator, excluſive of all others, with his Catholick Majeſty's Approbation, in like manner as has been done in former *Aſſientos*.

XIV. It ſhall not be lawful for the Viceroys, Audiences, Preſidents, Captains General, Governours, Royal Officers, or other Tribunal or Miniſter whatever, of his Catholick Majeſty, to lay an Embargo on, or detain the Ships belonging to this *Aſſiento*, nor to hinder them in their Voyages, under any Pretence, or for any Cauſe or Motive whatever,

whatever, even tho it ſhould be to fit them out for War, or upon any other Deſign; but on the contrary, they ſhall be oblig'd to afford them all the Favour, Aſſiſtance and Succour, that the ſaid Aſſientiſts, or their Factors ſhall deſire, for the more ſpeedy fitting out, diſpatching and lading of their ſaid Ships; and likewiſe the Victuals, and all other Things they ſhall ſtand in need of, for forwarding their Voyages at the current Prices: with this Warning, and under this Penalty, That thoſe who do otherwiſe ſhall be obliged, at their own proper Coſts, to make good and ſatisfy all the Damages and Loſſes, which the *Aſſientiſts* may ſuſtain by ſuch Impediment or Detention.

XV. Neither ſhall the Viceroys, Preſidents, Captains General, Governours, Corregidores, Great Alcaides, Judges, and Royal Officers, or any other Tribunal or Officer whatſoever, take, ſeize, detain, or lay an Embargo by Violence, or in any other Manner, under any Pretence, or for any Cauſe or Motive whatſoever, (tho never ſo urgent) on any of the Stock, Goods and Effects, that are the Produce of this *Aſſiento*, or belonging to the Aſſientiſts, under the Penalty of being puniſhed, and paying, out of their own Eſtates, the Damages and Loſſes that ſhall accrue thereby: Nor ſhall the ſaid Miniſters ſearch the Houſes or Ware-houſes of the Factors or others belonging to this *Aſſiento*, who are to enjoy this Privilege and Exemption, to prevent the Scandal and Diſcredit that attend ſuch Proceedings; unleſs in caſe it ſhall have been prov'd that there has been ſome fraudulent and prohibited Importation, and then they may be ſearch'd, with Aſſiſtance of the Judge Conſervator, herein abſolutely required, who ſhall take care to prevent Pilferings and Embezlements, that uſe to happen by the great Number of Soldiers and Officers that crowd to ſuch Places on thoſe Occaſions; it being agreed, That if any ſuch Goods are found, they may be ſeized, but not the Stock or Effects of the *Aſſiento*, which are to continue free; and if the Factors are concern'd in ſuch Offences, an Account thereof ſhall be given to the *Junta*, that they may be puniſhed.

XVI. That the ſaid Aſſientiſts, their Factors, and others belonging to them in the *Indies*, may employ in their Service ſuch Mariners, Carriers, and Workmen, as they ſhall have occaſion for, to load and unload their Ships and Veſſels, upon a voluntary Agreement made with them,

them, and paying them such Salarys and Stipends as they shall have agreed for.

XVII. That the said Assientists shall have liberty to load, at their choice, the Effects they may have in the *Indies*, upon the Ships of the Flota or the Galeons, to bring them into *Europe*, agreeing for the Freight with the Captains and Owners of the said Ships, or upon the Vessels belonging to the *Assiento*; which, if they think it convenient, may come under Convoy with the said Flotas and Galeons, or other Ships of War belonging to his Catholick Majesty, who will be pleas'd to lay his expres Commands, both upon the one and the other of them, to admit and take them under their Protection and Safe-guard; with this Warning, that no Sum whatever be demanded of them, by way of ordinary or extraordinary *Indulto*, or for their coming in Company with the said Fleet or Galeons; and that the Effects which shall come in them, and shall appear, by an authentick Writing, to belong to the Assientists, shall be free of all Dutys whatsoever, on their Importation in *Spain*, seeing their Stock is to be looked upon to have the same Privilege as if it belonged to his Catholick Majesty; and it is forbid, that the said Ships belonging to the *Assiento* (which may come in Company with the Flotas) do bring on board them any *Spanish* Passenger, or any Effects of any Subject of his Catholick Majesty.

XVIII. That from the first Day of *May* of this present Year 1713, till they shall have taken Possession of this *Assiento*, nor after their taking such Possession, it shall not be lawful for the *French Guinea* Company, or any other Person whatsoever, to introduce any *Negro*-Slave into *India*; and if they do, his Catholick Majesty will declare, as by this present Article he does declare, them to be confiscated and forfeited, in favour, and for the Benefit of these Assientists, to whom they shall remain, they being obliged to pay the Dutys of the *Negroes* thus imported contrary to this Article, as are regulated and settled by this Contract; for which purpose, so soon as it is sign'd, Circular Orders, in the most ample Form, shall be dispatch'd to *America*, that there be not any *Negroes* for the Account of the *French* Company admitted into any of the Ports, to whose Agent the same shall be notified: and that this may be the more effectual and advantageous to the Royal Revenue, it is agreed, that when the said Assientists shall have

have notice that any Ship with *Negroes* (not belonging to them) is come upon the Coaſt, or entred into any Port, they may fit out, arm, and ſend out immediately ſuch Veſſels as they ſhall have of their own, or any others belonging to his Catholick Majeſty, or his Subjects, with whom they ſhall agree, to take, ſeize, and confiſcate ſuch Ships and their *Negroes*, of whatever Nation they be, or to whomſoever the ſame ſhall belong; to which end, the ſaid Aſſientiſts, and their Factors, ſhall have Liberty to take cognizance of, and ſearch all Ships and Veſſels that ſhall come upon the Coaſts of *India*, or into its Ports, in which they ſhall have reaſon to believe or ſuſpect that there are Contraband *Negroes*: Provided always, that for the making of ſuch Searches, Viſits, and other Proceedings before-mention'd, they ſhall firſt have Leave from the Governours, to whom they ſhall communicate what occurs, and deſire them to interpoſe their Authority. Provided alſo that Peace ſhall be proclaimed before any thing of this can be done, or this *Aſſiento* take place.

XIX. That the ſaid Aſſientiſts, their Factors and Agents, ſhall have Power to navigate and import their *Negroe* Slaves, according to their Contract, to all the Northern Ports of his Catholick Majeſty's *Weſt-Indies*, including the River of *Plata*, with Prohibition to all others, whether Subjects of the Crown or Strangers, to carry and introduce thither any *Negroes*, under the Penaltys eſtabliſhed by the Laws that relate to this Contract of Trade. And his Catholick Majeſty obliges himſelf by his Faith and Royal Word, to maintain the ſaid Aſſientiſts in the entire and full Poſſeſſion and Performance of all the Articles thereof, during the Time agreed on, without allowing or conniving at any thing that may be contrary to the punctual and exact fulfilling thereof, his Majeſty conſidering it as his own Concern; with this Condition, that they ſhall not import into the ſaid River of *Plata*, or *Buenos Ayres*, more than the Twelve hundred *Piezas de Negroes* allow'd by the Eighth Article.

XX. That in caſe the ſaid Aſſientiſts be moleſted in the Execution and Performance of this *Aſſiento*, and that their Proceedings and Rights be diſturbed by way of Suits at Law, or in any other manner whatſoever, his Catholick Majeſty declares, That he will reſerve to himſelf alone the Cognizance thereof, and of all Cauſes that may be moved thereupon, with an Inhibition to all and whatſoever Judges

and Juſtices, to take to themſelves the Examination and Cognizance of the ſaid Cauſes, or of the Suits, Omiſſions or Defects, that may happen in the Performance of this *Aſſiento*.

XXI. That whenever the Ships of the ſaid Aſſientiſts ſhall arrive in the Ports of the *Indies* with their Cargoes of Negroes, the Captains thereof ſhall be oblig'd to certify that there is not any contagious Diſtemper amongſt them, that the Governor and Royal Officers may permit them to enter into the ſaid Ports; without which Certificates they ſhall not be admitted.

XXII. When the ſaid Ships ſhall have entred into any of the Ports, they are to be viſited by the Governour and Royal Officers, and ſearched to the Bottom, even to the Ballaſt; and having landed their Negroes in whole or in part, they may at the ſame time land the Proviſions, which they ſhall bring for their Subſiſtence, laying them up in particular Houſes or Magazines, having obtain'd Leave of the Miniſters who had ſearched the ſaid Ships; to avoid by theſe means all Opportunitys of Fraud or Controverſy. But they ſhall not land, import, or vend any Goods or Merchandize, under any Pretence or Motive whatſoever: and if there ſhould be any on Board the Ships, they ſhall be ſeized, as if they were found on Shore; excepting only the ſaid Negroe Slaves, and the Magazines of Proviſions for their Subſiſtence, under the Penalty, that thoſe who are guilty ſhall be ſeverely puniſhed, and their Merchandize and Effects confiſcated or burnt, and they ſhall be declar'd for ever incapable of having any Employment in the ſaid *Aſſiento*; and the Officers and Subjects of his Catholick Majeſty who ſhall connive at the ſame, ſhall be ſeverely puniſhed alſo: all Importation and Trading in Merchandize being abſolutely forbidden and denied to the ſaid Aſſientiſts, as being contrary to and againſt the Laws of theſe Kingdoms, and the Sincerity and good Faith with which they ought to diſcharge the Obligations they are under by this *Aſſiento*. And his Majeſty declares and ordains, That the Merchandize which ſhall be ſo ſeized, as being fraudulently imported, ſhall be apprais'd and valued, and immediately burnt in ſome publick Place, by Order of the ſaid Governours and Royal Officers, and the Captain or Maſter of the ſaid Ship or Veſſel ſhall be condemned to pay the Price at which it was valued, tho he ſhould be guilty

of

of no other Fault than of Omiſſion, in not taking care that no ſuch Merchandize ſhould have been put on Board; but if they are Accomplices, or Delinquents, they ſhall be condemned to pay a Forfeiture proportionable to their Offence, ſeverely puniſhed, and declared incapable to hold thereafter any Imployment in the Service of this *Aſſiento*. And his Catholick Majeſty will require from all his Miniſters and Officers an exact and ſtrict Account of the Performance of what is abovemention'd. And it is declared, That the Ships on board which the Negroes ſhall be, or any of the Proviſions brought for their Subſiſtence, ſhall not be liable to the ſaid Forfeiture and Confiſcation, they being declared to remain free, as not being in Fault; and the Perſon or Perſons, who have charge of them, may go on with their Traffick; and if the Merchandize or Goods ſeized do not exceed the Value of 100 Pieces of Eight (*Eſcudos*) they ſhall be burnt without any Remiſſion, (being firſt appraiſed) and the Captain ſhall be condemned to pay the Sum at which they were appraiſed, as a Puniſhment for his Neglect and Omiſſion; and if he does not pay down the Value of what ſhall have been ſo ſeized, he ſhall be ſuſpended and impriſoned till Payment made; but if it be proved that he was not an Accomplice, he ſhall be obliged to deliver up the Perſon guilty, and in that Caſe he ſhall be free.

XXIII. That the Victuals and other Proviſions which ſhall be put on Shore for the Subſiſtence of the Negroes, ſhall not pay any Dutys of Importation or Exportation, or any others whatever, that now are or hereafter may be impoſed; but if the Aſſientiſts buy or export them from the Ports, then ſhall they be obliged to pay the Dutys eſtabliſh'd, in the ſame manner as his Catholick Majeſty's Subjects ought to do: and it is declared, That if, of the Proviſions that were laid up in the Ware-houſes, there ſhould remain ſome which could not be expended, but are likely to periſh, they may be ſold, or carried to other Ports to be diſpoſed of, paying the Dutys there eſtabliſhed; the whole, with the Interpoſition and Knowledge of the Royal Officers.

XXIV. That the Dutys upon the Negroes imported, are to be due from the Day of their Landing in any of the Ports of the *Indies*, after the Search made, and all Matters regulated by the Royal Officers; and it is de-

clared, That if any of the ſaid Negroes die before they are ſold, the Aſſientiſts ſhall not thereby be quit of the Obligation of paying the Dutys for thoſe that die, nor have any Pretenſions to make upon that Account; except only, that in caſe, upon making the Searches, there be found any Negroes dangerouſly ill, they may be landed for their Recovery; and if theſe die within the Space of fifteen Days, from the time of their being put on Shore, the Aſſientiſts ſhall not be obliged to pay any Dutys, in regard they were not landed for Sale, but in order to recover their Health in the ſaid fifteen Days; which being expir'd, if they ſhall be yet alive, then they ſhall become indebted for the Dutys for them, in like manner as for the reſt, and ſhall pay them in this Court, purſuant to what is agreed in the Fifth Article.

XXV. That after the Aſſientiſts, or their Factors, ſhall have ſettled the Dutys, and ſold part of their Loading of Blacks, which they had brought to that Port, they ſhall be allowed to carry the Remainder to any other Port, carrying Certificates from the Royal Officers of having there accounted for the Dutys, that ſo the ſame may not be demanded of them again in any other Port; and they may receive in Payment for thoſe they ſhall ſell, Money, Bars of Silver, and Ingots of Gold, which ſhall have paid the King's *Quinto* without Fraud, as alſo the Produce of the Country; which they may carry away, and embark freely, as well the Money, Bars of Silver, and Ingots of Gold, as the other Effects and Fruits, as being the Produce of the Sale of the ſaid Negroes, without being obliged to pay any Duyts, except only thoſe that ſhall be eſtabliſhed in the Places from whence thoſe Fruits and Effects are brought, which they are allow'd to receive in Exchange, or for the Value of their Negroes, of whatever kind they be, upon Sales made in this manner for want of Money, which they may carry on board the Veſſels employ'd in this Commerce, to ſuch Ports as they ſhall think fit, and ſell them there, paying the accuſtomed Dutys.

XXVI. That the Ships which ſhall be employ'd by this *Aſſiento*, may ſail from the Ports of *Great Britain* or *Spain* at the choice of the Aſſientiſts, who ſhall give an Account to his Catholick Majeſty of what Ships they ſhall diſpatch yearly for the Negroe-Trade, and the Ports for which they are deſign'd, and may return to either, with the Money,

Money, Bars of Silver, Gold, Fruits, and Produce of the Country, being the Produce of the Sale of the Negroes; and they ſhall be under this Obligation, that if the Returns come into the Ports of *Spain*, the Captains and Commanders ſhall give to his Catholick Majeſty's Miniſters an authentick Regiſter, by which it may appear what they have on Board; and if they come back to *Great Britain*, they ſhall ſend over an exact Account of their Lading, that his Majeſty may be fully inform'd thereof: with this Warning, that they may not bring over, in any of the ſaid Ships, any Silver, Gold, or other Effects, than what ſhall be the Produce of the Sale of the Negroes, nor any *Spaniſh* Paſſengers; they being forbid to receive on board any Merchandize, or other Effects, on Account of his Catholick Majeſty's Subjects in thoſe Dominions without an expreſs Licence firſt obtain'd from his Catholick Majeſty; and if the Captains, Commanders, and Officers, do bring any ſuch on board, without ſuch Licence, they ſhall be declared guilty, and puniſh'd, as having defrauded his Majeſty's Cuſtoms, and tranſgreſs'd againſt the Contents of this Article, and the Orders which his Majeſty ſhall have been pleaſed to give for the Execution thereof, and for the avoiding of ſuch Frauds in the Ports of the *Indies*; ſo that the Offenders, being convicted thereof, ſhall be conſtantly puniſhed.

XXVII. If it ſhould happen that the Ships of this *Aſſiento* ſhould be fitted out as Ships of War, and ſhould take any Prizes from Enemys of either Crown, or from the Pirates that uſually cruize and plunder in the Seas of *America*, they may bring them into any Port belonging to his Catholick Majeſty, where they are to be admitted; and the ſaid Prizes being declared good and lawful, the Captors ſhall not be obliged to pay greater Dutys, upon the Entry of their Prizes, than what are eſtabliſhed and payable by the natural Subjects of his Majeſty; and it is declared, That if there ſhould be any Negroes on Board ſuch Prizes, they may ſell them in part of the Number they have engaged to furniſh, as likewiſe the Victuals and Proviſions that ſhould be over and above what is needful for their Subſiſtence. But this is not to extend to the Merchandize and Goods which they may take, the Sale whereof is ever to remain prohibited: However, ſuch Regard is had to their Intereſts, that they are allow'd to carry the ſaid Merchandize and Goods ſo taken, to the

Ports of *Carthagena*, or *Portobello*, and deliver them to the King's Officers, who are to receive them, and make an Inventory thereof, and lay them up in Ware-houſes, in the Preſence of the Captors, where they are to be kept till the Arrival of the Galeons, and the time of holding the Fairs in the ſaid Ports of *Carthagena* and *Portobello*; and then the King's Officers are to take care that they be ſold, with the Interpoſition, and in the Preſence of the Deputys of Commerce, and of the ſaid Captors, or their Agents; for which purpoſe his Catholick Majeſty is to give the neceſſary Orders, as he does give them by this preſent Article; and deducting a fourth Part of the Produce of the Sale thereof, which is to belong to his Catholick Majeſty, to be put into the Royal Coffers, and remitted to *Spain*, with a diſtinct Account of the ſaid Produce: and they are to deliver the Three remaining Parts of each Prize, without the leaſt Delay, to the Captors, or their Agents, deducting and retaining thereout all Expences for their Sale and Ware-houſe room, and ſatisfying, at the ſame time that theſe Prizes are ſold, the accuſtomed Dutys payable for the ſame to the Royal Exchequer.

And for the preventing all manner of Doubt and Cavil, his Majeſty declares, That the Ships, Ketches, and other Veſſels (thus made Prize of) of whatever ſort they be, with their Arms, Guns, Ammunition, and all the Furniture and Tackle on board them, ſhall belong to the Captors.

XXVIII. That whereas in the eſtabliſhing and adjuſting this *Aſſiento*, a particular Regard is had to the Advantage that may thence accrue to their *Britiſh* and Catholick Majeſtys, and to their Revenues, it is agreed and ſtipulated, That both their Majeſtys ſhall be concern'd for One half of this Trade, each of them a Quarter Part, which is to belong to them, purſuant to this Agreement. And whereas it is neceſſary that his Catholick Majeſty (in order to have and enjoy the Benefit and Gain that may be obtained by this Trade) ſhould advance to the ſaid Aſſientiſts 1000000 of Pieces of Eight (*Eſcudos*) or a Quarter of the Sum, which they ſhall judge neceſſary for the putting of this Commerce into a good Order and Method, it is agreed and ſettled, That if his Catholick Majeſty ſhall not think it convenient to advance the ſaid Sum, the aforemention'd Aſſientiſts do offer to do

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it out of their own Money, upon Condition, that his Catholick Majeſty ſhall make good the Intereſt out of what they ſhall be accountable for to him, after the Rate of Eight *per Cent.* yearly, commencing from the reſpective Days of their laying out the ſaid Money, and to continue till they are reimburſed and ſatisfied, according to the Account that ſhall be preſented to him, and ſo that his Majeſty may enjoy the Profits that may accrue to him, which they oblige themſelves to from this time. But in caſe they do not make any Profit by reaſon of Accidents or Misfortunes, and that inſtead thereof they ſuffer Loſſes, his Majeſty will be obliged (as he does oblige himſelf from this time) to cauſe them to be reimburſed ſo far as he is concern'd, according to Juſtice, and in ſuch way as may be leaſt prejudicial to his Royal Revenues. And his Catholick Majeſty is to name Two Directors or Factors, who are to reſide at *London*, Two more in the *Indies*, and One at *Cadiz*, that they may be concern'd on his Part (together with thoſe of her *Britannick* Majeſty and thoſe that ſhall be intereſted) in all the Directions, Purchaſes, and Accounts of this *Aſſiento*, to whom his Catholick Majeſty is to give proper Inſtructions by which to govern themſelves, particularly to thoſe in the *Indies*, for the better avoiding all Impediments and Diſputes which may happen.

XXIX. That the ſaid Aſſientiſts are to give an Account of their Profits and Gain at the end of the firſt Five Years of this *Aſſiento*, with Accounts taken upon Oath, and certified by legal Inſtruments, of the Charge of the Purchaſe, Subſiſtence, Tranſportation, and Sale of the Negroes, and all other Expences upon their Account; and alſo Certificates in due Form, of the Produce of their Sale in all the Ports and Parts of *America*, belonging to his Catholick Majeſty, whither they ſhall have been imported and ſold; which Accounts, as well of the Charge as the Produce, are firſt to be examin'd and ſettled by her *Britannick* Majeſty's Miniſters employed in this Service, in regard to the Share ſhe is to have in this *Aſſiento*, and then to be examined in like manner in this Court: And his Catholick Majeſty's Share of the Profits may be adjuſted and recover'd from the Aſſientiſts, who are to be oblig'd to pay the ſame moſt regularly and punctually, in purſuance of this Article, which is to be of the ſame Force and Vigour, as if it were a publick Inſtrument,

and under the Regulation mention'd in the Twenty Eighth Article, concerning the Factors whom his Catholick Majesty is to appoint.

XXX. That if the Amount of the Gain made during the first Five Years, does exceed the Sum which the Assientists are to advance and shall advance for his Catholick Majesty, together with the Interest of Eight *per Cent.* which is to be included and made good in the manner above mention'd, the Assientists are to reimburse themselves in the first place what they shall have advanced, with all the Interest, and then to pay to his Catholick Majesty the Remainder of the Profit that shall come to his Share, together with the Dutys upon *Negroes* annually imported, without any Delay or Impediment; which Practice is likewise to be observ'd and continued every Five Years successively, during the Term of this *Assiento*; and at the end thereof an Account shall be given of the Gain made in the last Five Years, in the same manner as is mention'd in relation to the first Five Years; so that his Catholick Majesty, and his Ministers whom he shall employ in this Affair, may remain fully satisfied, pursuant to what is mention'd in the Twenty eighth Article, concerning the Factors whom his Catholick Majesty is to appoint.

XXXI. That whereas the said Assientists have offer'd by the third Article of this Contract, to advance 200000 Pieces of Eight in the manner therein expressed, they shall not be reimbursed the same, till the end of the first 20 Years of this *Assiento*, as is mention'd in the said 3d Article; nor shall they pretend to any Allowance for the Risque or Interest of that Sum: but if upon the Account that is to be given by the Assientists, at the end of the first five Years, they shall appear to be Gainers, they may reimburse themselves the Sum (or part thereof) which they shall have advanced for the Quarter Part, wherein his Catholick Majesty is interested in this *Assiento*; as also the Interest due to them on this Account, pursuant to what is mention'd in the twenty Eighth Article.

XXXII. That from and after the Determination and fulfilling of this *Assiento*, his Catholick Majesty does grant to the Assientists the Space of three Years to adjust their Accounts, and gather in all their Effects in the *Indies*, and make up a Ballance of the Whole; during which Term of three Years, the said Assientists, their Factors, Agents, and others employ'd by them, shall enjoy the same Privileges

leges and Immunitys, as are granted to them for the Term of this Contract, for the free Entrance of their Ships and Veſſels in all the Ports of *America*, and Exportation of ſuch Effects as they may have there, without any Alteration or Reſtriction whatſoever.

XXXIII. That all the Debtors to the Aſſientiſts ſhall be compelled and forced to pay their Debts, by taking them and their Goods in Execution, theſe Debts being conſider'd upon the ſame Foot as thoſe due to his Catholick Majeſty himſelf; who declares them as ſuch, that they may be the more effectually recovered.

XXXIV. That it being requiſite for the Support and Subſiſtence of the *Negro* Slaves, who ſhall be ſet on Shore in the Ports of the *Weſt-Indies*, as likewiſe of all the Perſons employ'd in this Commerce, to keep conſtantly Magazines filled with Clothing, Medicines, Proviſions, and other Neceſſarys, in all the Factorys that ſhall be eſtabliſhed, for the more eaſy and better Management of this *Aſſiento*; as alſo with all Naval Stores, for the repairing of, and furniſhing the Ships and Veſſels employ'd in its Service; the Aſſientiſts truſt, that his Catholick Majeſty will pleaſe to allow them, from Time to Time, to bring from *Europe*, or her *Britannick* Majeſty's Colonys in *North-America*, directly to the Ports and Coaſts of the Northern Sea of the *Spaniſh Weſt-Indies*, where there ſhall be Royal Officers, or their Deputys, and likewiſe to the River of *Plata* or *Buenos Ayres*, Clothing, Medicines, Proviſions, and Naval Stores, for the Uſe only of the Aſſientiſts, their Negroes, Factors, Servants, Mariners, and Ships; and that they may import the ſame in ſmall Veſſels, of about 150 Tuns, (and not in thoſe wherein the *Negro* Slaves are carried) of which and their Cargoes they are, at the Time of their Departure, to ſend an Account to the Council of the *Indies*, and to lay before it a Declaration of the Factors, of what Goods the Loading conſiſts, none of which ſhall be ſold, under Penalty of Confiſcation, and ſevere Puniſhment, to be inflicted on the Offenders; unleſs it be in the caſe of an urgent Neceſſity for a *Spaniſh* Ship, the Captain whereof, in order to his return home, may be obliged to buy the ſame as he can agree with the Factors.

XXXV. For the refreſhing and preſerving in Health the Negro Slaves, which they ſhall import into the *Weſt-Indies*, after ſo long and painful a Voyage, and to prevent any contagious Illneſs or Diſtemper amongſt them, the

Factors

Factors of this *Aſſiento* ſhall be allowed to hire ſuch Parcels of Land as they ſhall think fit, in the Neighbourhood of the Places where the Factorys ſhall be eſtabliſhed, in order to cultivate the ſaid Lands and make Plantations, in which they may raiſe freſh Proviſions for their Relief and Subſiſtence; which Cultivating and Improvement is to be perform'd by the Inhabitants of the Country, and the Negro Slaves, and not by any others; nor may any Miniſters of his Catholick Majeſty hinder them, provided they keep to this Rule.

XXXVI. That Leave ſhall be granted to the Aſſientiſts to ſend a Ship of 300 Tuns to the *Canary* Iſlands, and to carry from thence ſuch Fruits as are cuſtomarily taken on board there for *America*, purſuant to what was allowed to Don *Bernardo Franciſco Marin*, by the 26th Article of his *Aſſiento*, and by the 21ſt Article of the *Aſſiento* of the *Guinea* Company of *Portugal*, for one time only, during the Continuance of this *Aſſiento*.

XXXVII. That Orders ſhall be diſpatched for the Publication, in all the Ports of *America*, of an *Indulto* for the Negroes unduly imported, from the Day that this Aſſiento is to take place; with free Liberty to the Factors to lay an *Indulto* on them, at what Time and Price they ſhall think fit; and that the Produce of this *Indulto* ſhall be applied to the Benefit of the Aſſientiſts, who ſhall be oblig'd to pay to his Catholick Majeſty the regular Dutys of 33 Pieces of Eight, and one Third of a Piece of Eight, for each Negro, at the time that the *Indulto* is laid.

XXXVIII. That for the better and more expeditious Diſpatch of this Affair, his Majeſty will be pleaſed to eſtabliſh a Junta of three Miniſters, ſuch as he ſhall think moſt proper, who, with the Aſſiſtance of the Fiſcal and Secretary of the Council of the *Indies*, ſhall hear and take Cognizance (excluſive of all others) of all Matters and Cauſes relating thereunto, during the time that is ſtipulated; and that the ſaid Junta ſhall lay before his Majeſty what ſhall occur to them, in the ſame manner as was practiſed for the *French* Company.

XXXIX. That all the Conceſſions in former Aſſientos, to Don *Domingo Grillo*, the Conſulado of *Seville*, Don *Nicolas Porcio*, Don *Bernardo Marin y Guſman*, the Companys of *Portugal* and *France*, not being contrary to the Contents of this Contract, ſhall be underſtood and declared to be in its Favour, as if they were herein literally inſerted;

inſerted; and that all the Orders that have, at any time, been diſpatched in favour of thoſe fore-mentioned Aſſientiſts ſhall be granted to theſe, whenever they ſhall ask them, without any Doubt or Difficulty.

XL. That in caſe of a Declaration of War (which God forbid) of the Crown of *Great Britain* againſt that of *Spain*, or of *Spain* againſt *Great Britain*, this Aſſiento is to be ſuſpended; however, the Aſſientiſts are to be ſuffered to remove with all Security (during the Space of one Year and an Half, from the Time of the Declaration of ſuch Rupture) all their Effects, and to bring them home freely, in ſuch of their Ships as ſhall then happen to be in the Ports of the *Indies*, or in thoſe belonging to *Spaniards*; with this Condition, that if they ſhould bring them to the Ports of *Spain*, they may freely carry them away again, as if the Aſſiento was yet in force; it being firſt made to appear, that they are the Produce of the Negro Trade. And it is farther declared, that if it ſhould happen that the Crowns of *Spain* and *England*, or either of them, jointly or ſeparately, ſhall enter upon a War with other Nations, in ſuch Caſe the Ships employ'd in this Aſſiento, are to have Paſſes, and carry Flags with different Arms from what are uſually borne by the *Engliſh* or *Spaniards*, ſuch as his Catholick Majeſty ſhall pleaſe to make choice of; the like to which are not to be granted to any other Veſſels than thoſe belonging to this Trade, which ſhall protect them from being moleſted, or aſſaulted, by the Ships of ſuch Nations as ſhall be or declare themſelves Enemys to the two Crowns: in order to the ſecuring of which, her *Britannick* Majeſty will take upon her, to ſollicit and obtain, That in the enſuing General Treaty of Peace an expreſs Article may be inſerted, that all the Princes may take notice of it, and may be oblig'd to command their Subjects to govern themſelves accordingly, and to obſerve the ſame exactly and punctually.

XLI. That all the Contents of this preſent Contract, and the Conditions therein inſerted, as likewiſe all that ſhall be annexed thereunto, or depending thereon, ſhall be fulfilled, and ſincerely and punctually executed, ſo as it may not be obſtructed by any Pretence, Cauſe, or Motive whatſoever; for which Purpoſe, his Majeſty is to diſpenſe (as he does hereby diſpenſe) with all Laws, Ordinances, Proclamations, Privileges, Eſtabliſhments, Uſages, and Cuſtoms contrary hereunto, where-ever the ſame may be ſubſiſting in any of the Ports, Places, and

Provinces

Provinces of *America*, belonging to his Majeſty, for the Term of 30 Years, during which this Aſſiento is to continue, and the 3 Years farther, which are allowed to the Aſſientiſts for the getting in their Effects, and ballancing their Accounts, as has been already mention'd: which Laws, *&c.* are, however, to continue in all their Force and Vigour, in all other Caſes that do not relate to this Contract, and in all Time coming, after the Expiration of thirty three Years thereof.

XLII. And finally, his Majeſty grants to the ſaid Aſſientiſts, their Agents, Factors, Miniſters, Officers Civil and Military, as well at Sea as at Land, all the Favours, Freedoms, Privileges, and Exemptions, that have ever been granted to any former Aſſientiſts, without any Reſtriction or Limitation, ſo far as they are not contrary to what is agreed and expreſſed in the foregoing Articles; which the Aſſientiſts do likewiſe oblige themſelves to accompliſh, and execute entirely and punctually.

Beſides the foregoing Articles, ſtipulated on behalf of the *Engliſh* Company, his Catholick Majeſty conſidering the Loſſes which former Aſſientiſts have ſuſtained, and upon this expreſs Condition, that the ſaid Company ſhall not carry on nor attempt any unlawful Trade, directly nor indirectly, under any Pretence whatſoever; and to manifeſt to her *Britannick* Majeſty how much he deſires to pleaſe her, and to confirm more and more a ſtrict and good Correſpondence, he has been pleas'd, by his Royal Decree of the 12th of *March*, in this preſent Year, to allow to the Company of this Aſſiento, a Ship of 500 Tuns yearly, during the 30 Years of its Continuance, to trade therewith to the *Indies*; in which his Catholick Majeſty is to partake a Fourth Part of the Gain, as in the Aſſiento; beſides which Fourth, his Catholick Majeſty is to receive 5*l. per Cent.* out of the neat Gain of the other three Parts which belong to *England*: upon this expreſs Condition, that they may not ſell the Goods and Merchandizes, which each of thoſe Ships ſhall carry, but only at the Time of the Fair. And if any of theſe Ships ſhall arrive in the *Indies* before the Flota's and Galeons, the Factors of the Aſſiento ſhall be oblig'd to land the Goods and Merchandize (with which they ſhall be laden) and put them into Ware-houſes that ſhall be locked with two Keys; one of which to remain with the Royal Officers, and the other with the Factors of the Company; to the end the ſaid Goods and Merchandize

may

may be ſold during the Continuance of the ſaid Fair only; and they are to be free of all Dutys in the *Indies*.

And whereas my Will and Pleaſure is, that all that is contained in each of the Articles and Conditions (expreſſed in the above Draught herein inſerted) and that which is the laſt of all (being added thereto of my own free Will) ſhould have its full Effect; I do by theſe Preſents approve and ratify the ſame, and command that it be obſerved, fulfilled and executed, literally, in the whole and thro'-out, according to the Contents of it, and of every Article thereof, and what is therein declared; and that nothing be done or acted, or be any ways ſuffered to be done or acted, contrary to the Tenor and Form thereof; diſpenſing (as I do for this time diſpenſe) with all Laws and Prohibitions that may be contrary thereunto: and I promiſe and aſſure, upon my Faith and Royal Word, that, provided the Company of *England* perform this Contract on their part, ſo far as concerns them, and as they are obliged, I will perform it on my part. In Witneſs whereof, I have granted to the Lord *Lexington*, her Majeſty of *Great Britain*'s Miniſter in this Court, the preſent Writing and Acceptance of this Contract, correſponding with its entire Performance and Validity; which, in purſuance of my Royal Command, has been made out by the Regiſter's Office of the Chamber of my Council of the *Indies*, the 26th Day of this preſent Month and Year. And I will, that for the Execution of all that is mentioned in this Aſſiento, all the Cedulas, Diſpatches and Orders requir'd for the entire Effect and fulfilling thereof, be iſſued in their proper time: And the Comptrollers of Accounts, who attend my ſaid Council, are to take notice of theſe Preſents. Given at *Madrid*, the 26th of *March*, 1713.

I The KING.

By the Command of Our Lord the King,

Don Bernardo Tiaguero de la Eſcalera.

Your Majeſty does hereby approve and ratify the *Aſſiento* adjuſted with the Company of *England*, for the Importation of Negro Slaves into the *Indies*, for the Term of thirty Years, in the manner mention'd in the Articles above inſerted.

Treaty

Treaty of Peace and Friendſhip between the moſt Serene and moſt Potent Princeſs Anne, *by the Grace of God, Queen of* Great Britain, France, *and* Ireland, *and the moſt Serene and moſt Potent Prince* Lewis XIV. *the moſt Chriſtian King, concluded at* Utrecht, *the* $\frac{31}{11}$ *Day of* $\frac{\text{March}}{\text{April}}$, 1713.

WHEREAS it has pleaſed Almighty God, for the Glory of his Name, and for the univerſal Welfare, ſo to direct the Minds of Kings for the healing, now in his own time, the Miſerys of the waſted World, that they are diſpoſed towards one another with mutual deſire of making Peace: Be it therefore known to all and ſingular whom it may concern, that under this Divine Guidance, the moſt Serene and moſt Potent Princeſs and Lady, *Anne*, by the Grace of God Queen of *Great Britain*, *France* and *Ireland*, and the moſt Serene and moſt Potent Prince and Lord, *Lewis* XIV. by the Grace of God, the moſt Chriſtian King, conſulting as well the Advantage of their Subjects, as providing (as far as Mortals are able to do) for the perpetual Tranquillity of the whole Chriſtian World, have reſolved at laſt to put an end to the War which was unhappily kindled, and has been obſtinately carry'd on above theſe ten Years, being both cruel and deſtructive, by reaſon of the frequency of Battles, and the Effuſion of Chriſtian Blood. And for promoting this their Royal Purpoſe, of their own proper Motion, and from that paternal Care which they delight to uſe towards their own Subjects, and the publick Weal of *Chriſtendom*, have nominated and appointed the moſt noble, illuſtrious, and excellent Lords, their Royal Majeſtys reſpective Ambaſſadors

• Extraor-

Extraordinary and Plenipotentiarys, *viz.* Her Sacred Royal Majeſty of *Great Britain*, the Right Reverend, *John*, by Divine Permiſſion, Biſhop of *Briſtol*, Keeper of the Privy-Seal of *England*, one of her Majeſty's Privy-Council, Dean of *Windſor*, and Regiſter of the moſt Noble Order of the Garter; as alſo the moſt noble, illuſtrious, and excellent Lord, *Thomas* Earl of *Strafford*, Viſcount *Wentworth* of *Wentworth-Woodhouſe*, and *Stainborough*, Baron of *Raby*, one of her Majeſty's Privy-Council, her Ambaſſador Extraordinary and Plenipotentiary to the High and Mighty Lords the States General of the *United Netherlands*, Colonel of the Royal Regiment of Dragoons, Lieutenant General of her Majeſty's Forces, Firſt Lord Commiſſioner of the Admiralty of *Great Britain* and *Ireland*, and Knight of the moſt noble Order of the Garter; and his Sacred Royal moſt Chriſtian Majeſty, the moſt noble, illuſtrious, and excellent Lords, *Nicholas* Marquiſs of *Huxelles*, Marſhal of *France*, Knight of the King's Orders, and Lieutenant General of the Dukedom of *Burgundy*; and *Nicolas Meſnager*, Knight of the King's Order of St. *Michael*: and have furniſhed the ſaid Ambaſſadors Extraordinary with full and ample Power to treat, agree of, and conclude a firm and laſting Peace between their Royal Majeſtys. Wherefore the aforeſaid Ambaſſadors, after divers and important Conſultations had in the Congreſs held at *Utrecht* for that purpoſe, having at length overcome, without the Intervention of any Mediator, all the Obſtacles which hindred the End of ſo wholeſome a Deſign, and having invoked the Divine Aſſiſtance, that God would be pleaſed to preſerve this their Work intire and unviolated, and to prolong it to the lateſt Poſterity, after having mutually communicated, and duly exchanged their full Powers, (Copys whereof are inſerted Word for Word at the end of this Inſtrument) they have agreed on the reciprocal Conditions of Peace and Friendſhip between their abovemention'd Majeſtys and their People and Subjects, as follows.

I. That there be an univerſal perpetual Peace, and a true and ſincere Friendſhip, between the moſt Serene and moſt Potent Princeſs *Anne*, Queen of *Great Britain*, and the moſt Serene and moſt Potent Prince *Lewis* XIV. the moſt Chriſtian King, and their Heirs and Succeſſors, as alſo the Kingdoms, States, and Subjects of both, as well with-

without as within *Europe*; and that the ſame be ſo ſincerely and inviolably preſerved and cultivated, that the one do promote the Intereſt, Honour, and Advantage of the other; and that a faithful Neighbourhood on all ſides, and a ſecure cultivating of Peace and Friendſhip do daily flouriſh again and increaſe.

II. That all Enmitys, Hoſtilitys, Diſcords, and Wars, between the ſaid Queen of *Great Britain*, and the ſaid moſt Chriſtian King, and their Subjects, do ceaſe and be aboliſhed, ſo that on both ſides they do wholly refrain and deſiſt from all Plundering, Depredation, Harm-doing, Injurys, and Annoyance whatſoever, as well by Land as Sea and Freſh Waters, in all Parts of the World; and chiefly thro' all Tracts, Dominions, and Places, of what kind ſoever, of the Kingdoms, Countrys, and Territorys of either ſide.

III. All Offences, Injurys, Harms, and Damages, which the aforeſaid Queen of *Great Britain*, and her Subjects, or the aforeſaid moſt Chriſtian King, and his Subjects, have ſuffered the one from the other, during this War, ſhall be buried in Oblivion; ſo that neither on account, or under pretence thereof, or of any other thing, ſhall either hereafter, or the Subjects of either, do or give, cauſe or ſuffer to be done or given to the other, any Hoſtility, Enmity, Moleſtation, or Hindrance, by themſelves, or by others, ſecretly or openly, directly or indirectly, under colour of Right, or by way of Fact.

IV. Furthermore, for adding a greater Strength to the Peace which is reſtored, and to the faithful Friendſhip which is never to be violated, and for cutting off all occaſions of diſtruſt, which might at any time ariſe from the eſtabliſhed Right and Order of the Hereditary Succeſſion to the Crown of *Great Britain*, and the Limitation thereof by the Laws of *Great Britain* (made and enacted in the Reigns of the late King *William* the Third, of glorious Memory, and of the preſent Queen) to the Iſſue of the aboveſaid Queen, and in default thereof, to the moſt Serene Princeſs *Sophia*, Dowager of *Brunſwick Hannover*, and her Heirs in the Proteſtant Line of *Hannover*: That therefore the ſaid Succeſſion may remain ſafe and ſecure, the moſt Chriſtian King ſincerely and ſolemnly acknowledges the aboveſaid Limitation of the Succeſſion to the Kingdom of *Great Britain*; and on the Faith and Word of a King, on the Pledge of his own and his Succeſſors Honour, he does declare and engage, That he accepts and ap-

proves the ſame, and that his Heirs and Succeſſors do and ſhall accept and approve the ſame for ever. And under the ſame Obligation of the Word and Honour of a King, the moſt Chriſtian King promiſes, That no one beſides the Queen herſelf, and her Succeſſors, according to the Series of the ſaid Limitation, ſhall ever by him, or by his Heirs or Succeſſors, be acknowledged, or reputed to be King or Queen of *Great Britain*. And for adding more ample Credit to the ſaid Acknowledgment and Promiſes, the moſt Chriſtian King does engage, That whereas the Perſon who, in the life-time of the late King *James* the Second, did take upon him the Title of Prince of *Wales*, and ſince his Deceaſe that of King of *Great Britain*, is lately gone, of his own accord, out of the Kingdom of *France*, to reſide in ſome other place, he the aforeſaid moſt Chriſtian King, his Heirs and Succeſſors, will take all poſſible Care, that he ſhall not at any time hereafter, or under any pretence whatſoever, return into the Kingdom of *France*, or any the Dominions thereof.

V. Moreover, the moſt Chriſtian King promiſes, as well in his own Name, as in that of his Heirs and Succeſſors, that they will at no time whatever diſturb, or give any Moleſtation to the Queen of *Great Britain*, her Heirs and Succeſſors, deſcended from the aforeſaid Proteſtant Line, who poſſeſs the Crown of *Great Britain*, and the Dominions belonging thereunto. Neither will the aforeſaid moſt Chriſtian King, or any one of his Heirs, give at any time any Aid, Succour, Favour, or Counſel, directly or indirectly, by Land or by Sea, in Money, Arms, Ammunition, warlike Proviſion, Ships, Soldiers, Seamen, or any other way, to any Perſon or Perſons, whoſoever they be, who for any Cauſe, or under any Pretext whatſoever, ſhould hereafter endeavour to oppoſe the ſaid Succeſſion, either by open War, or by fomenting Seditions, and forming Conſpiracys againſt ſuch Prince or Princes who are in Poſſeſſion of the Throne of *Great Britain*, by virtue of the Acts of Parliament aforementioned; or againſt that Prince or Princeſs, to whom the Succeſſion to the Crown of *Great Britain* ſhall be open according to the ſaid Acts of Parliament.

VI. Whereas the moſt deſtructive Flame of War which is to be extinguiſhed by this Peace, aroſe chiefly from hence, that the Security and Libertys of *Europe* could by no means bear the Union of the Kingdoms

of *France* and *Spain* under one and the ſame King: And whereas it has at length been brought to paſs by the Aſſiſtance of the Divine Power, upon the moſt earneſt Inſtances of her Sacred Royal Majeſty of *Great Britain*, and with the Conſent both of the moſt Chriſtian and of the Catholick King, that this Evil ſhould in all times to come be obviated, by means of Renunciations drawn in the moſt effectual Form, and executed in the moſt ſolemn Manner, the Tenor whereof is as follows.

Letters Patent by the King, which admit the Renunciation of the King of Spain *to the Crown of* France, *and thoſe of Monſieur the Duke of* Berry, *and of Monſieur the Duke of* Orleans, *to the Crown of* Spain.

LEWIS, by the Grace of God, King of *France* and *Navarre*: To all People preſent and to come, Greeting. During the various Revolutions of a War, wherein we have fought only to maintain the Juſtice of the Rights of the King our moſt dear and moſt beloved Grandſon to the Monarchy of *Spain*, we have never ceaſed to deſire Peace. The greateſt Succeſſes did not at all dazzle us, and the contrary Events, which the Hand of God made uſe of to try us rather than to deſtroy us, did not give birth to that Deſire in us, but found it there. But the Time marked out by Divine Providence for the Rēpoſe of *Europe* was not yet come; the diſtant Fear of ſeeing one Day our Crown and that of *Spain* upon the Head of one and the ſame Prince, did always make an equal Impreſſion on the Powers which were united againſt us; and this Fear, which had been the principal Cauſe of the War, ſeemed alſo to lay an inſuperable Obſtacle in the way to Peace. At laſt, after many fruitleſs Negotiations, God being moved with the Sufferings and Groans of ſo many People, was pleaſed to open a ſurer way to come at ſo difficult a Peace. But the ſame Alarms ſtill ſubſiſting, the firſt and principal Condition, which was propoſed to us by our moſt dear and moſt beloved Siſter the Queen of *Great Britain*, as the eſſential and neceſſary Foundation of Treating, was, That the King of *Spain*, our ſaid Brother and Grandſon, keeping the Monarchy of *Spain* and of the *Indies*, ſhould renounce

nounce for himſelf and his Deſcendents for ever, the Rights which his Birth might at any time give him and them to our Crown; that on the other hand, our moſt dear and moſt beloved Grandſon the Duke of *Berry*, and our moſt dear and moſt beloved Nephew the Duke of *Orleans*, ſhould likewiſe renounce for themſelves, and for their Deſcendents, Male and Female for ever, their Rights to the Monarchy of *Spain* and the *Indies*. Our ſaid Siſter cauſed it to be repreſented to us, that without a formal and poſitive Aſſurance upon this Point, which alone could be the Bond of Peace, *Europe* would never be at reſt; all the Powers which ſhare the ſame being equally perſuaded, That it was for their general Intereſt, and for their common Security, to continue a War, whereof no one could foreſee the End, rather than to be expoſed to behold the ſame Prince become one day Maſter of two Monarchys, ſo powerful as thoſe of *France* and *Spain*. But as this Princeſs (whoſe indefatigable Zeal for re-eſtabliſhing the general Tranquillity we cannot ſufficiently praiſe) was ſenſible of all the Reluctancy we had to conſent that one of our Children, ſo worthy to inherit the Succeſſion of our Forefathers, ſhould neceſſarily be excluded from it, if the Misfortunes wherewith it has pleaſed God to afflict us in our Family, ſhould moreover take from us, in the Perſon of the Dauphin, our moſt dear and moſt beloved great Grandſon, the only Remainder of thoſe Princes which our Kingdom has ſo juſtly lamented with us; ſhe entered into our Pain, and after having jointly ſought out gentler means of ſecuring the Peace, we agreed with our ſaid Siſter to propoſe the King of *Spain* other Dominions, inferior indeed to thoſe which he poſſeſſes, yet the Value thereof would ſo much the more increaſe under his Reign, in as much as in that caſe he would preſerve his Rights, and annex to our Crown a part of the ſaid Dominions, if he came one time or other to ſucceed us. We employed therefore the ſtrongeſt Reaſons to perſuade him to accept this Alternative. We gave him to underſtand, that the Duty of his Birth was the firſt which he ought to conſult; that he owed himſelf to his Houſe, and to his Country, before he was obliged to *Spain*; that if he were wanting to his firſt Engagements, he would perhaps one day in vain regret his having abandoned thoſe Rights, which he would be no more able to maintain. We added to theſe Reaſons the perſonal motives of Friendſhip and of tender Love,

which we thought likely to move him; the Pleaſure we ſhould have in ſeeing him from time to time near us, and in paſſing ſome part of our days with him, which we might promiſe ourſelves from the Neighbourhood of the Dominions that were offered him; the Satisfaction of inſtructing him ourſelves concerning the State of our Affairs, and of relying upon him for the future; ſo that, if God ſhould preſerve to us the Dauphin, we could give our Kingdom, in the Perſon of the King our Brother and Grandſon, a Regent inſtructed in the Art of Government; and that, if this Child ſo precious to us and to our Subjects, were alſo taken from us, we ſhou'd at leaſt have the Conſolation of leaving to our People a virtuous King, fit to govern them, and who would likewiſe annex to our Crown very conſiderable Dominions. Our Inſtances, reiterated with all the force, and with all the tender affection neceſſary to perſuade a Son who ſo juſtly deſerves thoſe Efforts which we made for preſerving him to *France*, produced nothing but reiterated Refuſals on his part, ever to abandon ſuch brave and faithful Subjects, whoſe Zeal for him had been diſtinguiſhed in thoſe Conjunctures, when his Throne ſeemed to be the moſt ſhaken. So that perſiſting with an invincible Firmneſs in his firſt Reſolution, aſſerting likewiſe, that it was more glorious and more advantageous for our Houſe, and for our Kingdom, than that which we preſſed him to take, he declared in the Meeting of the States of the Kingdom of *Spain*, aſſembled at *Madrid* for that purpoſe, that for obtaining a general Peace, and ſecuring the Tranquillity of *Europe* by a Ballance of Power, he of his own proper Motion, of his own free Will, and without any Conſtraint, renounced for himſelf, for his Heirs and Succeſſors for ever and ever, all Pretenſions, Rights and Titles, which he, or any of his Deſcendents, have at preſent, or may have at any time to come whatſoever, to the Succeſſion of our Crown: That he held for excluded therefrom himſelf, his Children, Heirs, and Deſcendents for ever: That he conſented for himſelf and for them, that now, as well as then, his Right, and that of his Deſcendents, ſhould paſs over and be transferred to him among the Princes, whom the Law of Succeſſion, and the Order of Birth calls, or ſhall call to inherit our Crown, in default of our ſaid Brother and Grandſon the King of *Spain*, and of his Deſcendents, as it is more amply ſpecified in the Act of Renunciation, approv-

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ed by the States of his Kingdom; and conſequently he declared, that he deſiſted particularly from the Right which hath been added to that of his Birth, by our Letters Patent of the Month of *December* 1700, whereby we declared, that it was our Will, that the King of *Spain* and his Deſcendents ſhould always preſerve the Rights of their Birth and Original, in the ſame manner as if they reſided actually in our Kingdom; and from the Regiſtry which was made of our ſaid Letters Patent, both in our Court of Parliament, and in our Chamber of Accounts at *Paris*, we are ſenſible as King and as Father, how much it were to be deſired that the general Peace could have been concluded without a Renunciation, which makes ſo great a Change in our Royal Houſe, and in the antient Order of ſucceeding to our Crown: but we are yet more ſenſible how much it is our Duty to ſecure ſpeedily to our Subjects a Peace which is ſo neceſſary for them. We ſhall never forget the Efforts which they made for us, during the long continuance of a War, which we could not have ſupported, if their Zeal had not been much more extenſive than their Power. The Welfare of a People ſo faithful, is to us a ſupreme Law, which ought to be preferred to any other Conſideration. It is to this Law that We this day ſacrifice the Right of a Grandſon, who is ſo dear to us; and by the Price which the general Peace will coſt our tender Love, we ſhall at leaſt have the Comfort of ſhewing our Subjects, that even at the Expence of our Blood, they will always keep the firſt place in our Heart.

For theſe Cauſes, and other important Conſiderations us thereunto moving, after having ſeen in our Council the ſaid Act of Renunciation of the King of *Spain* our ſaid Brother and Grandſon, of the fifth of *November* laſt, as alſo the Acts of Renunciation, which our ſaid Grandſon the Duke of *Berry*, and our ſaid Nephew the Duke of *Orleans*, made reciprocally of their Rights to the Crown of *Spain*, as well for themſelves as for their Deſcendents Male and Female, in conſequence of the Renunciation of our ſaid Brother and Grandſon the King of *Spain*, the whole hereunto annexed, with a Copy collated of the ſaid Letters Patent of the Month of *December* 1700, under the Counter-Seal of our Chancery; of our ſpecial Grace, full Power, and Royal Authority, we have declared, decreed and ordained, and by theſe Preſents ſigned with

our Hand, we do declare, decree and ordain, we will, and it is our Pleaſure, That the ſaid Act of Renunciation of our ſaid Brother and Grandſon the King of *Spain*, and thoſe of our ſaid Grandſon the Duke of *Berry*, and of our ſaid Nephew the Duke of *Orleans*, which we have admitted, and do admit, be regiſtred in all our Courts of Parliament, and Chambers of our Accounts in our Kingdom, and other Places where it ſhall be neceſſary, in order to their being executed according to their Form and Tenor. And conſequently, we will and intend, that our ſaid Letters Patent of the Month of *December* 1700, be and remain null, and as if they had never been made; that they be brought back to us, and that in the Margin of the Regiſters of our ſaid Court of Parliament, and of our ſaid Chamber of Accounts, where the Enrolment of the ſaid Letters Patent is, the Extract of theſe Preſents be placed and inſerted, the better to ſignify our Intention as to the Revocation, and Nullity of the ſaid Letters. We will that in conformity to the ſaid Act of Renunciation of our ſaid Brother and Grandſon the King of *Spain*, he be from henceforth looked upon and conſidered as excluded from our Succeſſion; that his Heirs, Succeſſors, and Deſcendents be likewiſe excluded for ever, and looked upon as incapable of enjoying the ſame. We underſtand that in failure of them, all Rights to our ſaid Crown, and Succeſſion to our Dominions, which might at any time whatſoever belong and appertain to them, be and remain transferred to our moſt dear, and moſt beloved Grandſon the Duke of *Berry*, and to his Children and Deſcendents, being Males born in lawful Marriage; and ſucceſſively in failure of them, to thoſe of the Princes of our Royal Houſe, and their Deſcendents, who in Right of their Birth, or by the Order eſtabliſhed ſince the Foundation of our Monarchy, ought to ſucceed to our Crown. And ſo we command our beloved and truſty Counſellors, the Members of our Court of Parliament at *Paris*, that they do cauſe theſe Preſents, together with the Acts of Renunciation made by our ſaid Brother and Grandſon the King of *Spain*, by our ſaid Grandſon the Duke of *Berry*, and by our ſaid Nephew the Duke of *Orleans*, to be read, publiſh'd and regiſtred, and the Contents thereof to be kept, obſerved, and executed, according to their Form and Tenor, fully, peaceably, and perpetually; ceaſing, and cauſing to ceaſe all Moleſtations and Hindrances, notwith-

withſtanding any Laws, Statutes, Uſages, Cuſtoms, Decrees, Regulations, and other matters contrary thereunto: whereto, and to the Derogations of the Derogations therein contained, we have derogated, and do derogate by theſe Preſents, for this purpoſe only and without being brought into Precedent. For ſuch is our Pleaſure.

And to the end that this may be a matter firm and laſting for ever, we have cauſed our Seal to be affixed to theſe Preſents. Given at *Verſailles*, in the Month of *March*, in the Year of our Lord 1713, and of our Reign the 70th. Sign'd *Lewis*, and underneath, by the King, *Phelypeaux*. *Viſa*, *Phelypeaux*. And ſealed with the Great Seal on green Wax, with ſtrings of red and green Silk.

Read and publiſhed, the Court being aſſembled, and regiſtred among the Rolls of the Court, the King's Attorney General being heard and moving for the ſame, to the end that they may be executed according to their Form and Tenor, in purſuance of, and in conformity to, the Acts of this Day. At *Paris*, in Parliament, the 15th of *March*, 1713.

Sign'd,

DONGOIS.

The KING.

WHereas on the 5th of *November* in this preſent Year 1712, before *Don Manuel* of *Vadillo* and *Velaſco*, my Secretary of State, and Chief Notary of the Kingdoms of *Caſtile* and *Leon*, and Witneſſes, I delivered, ſwore to, and ſign'd a Publick Inſtrument of the Tenor following, which is Word for Word, as here enſues:

D. *Philip*, by the Grace of God, King of *Caſtile*, *Leon*, *Arragon*, the two *Sicilys*, *Jeruſalem*, *Navarre*, *Granada*, *Toledo*, *Valentia*, *Galicia*, *Majorca*, *Seville*, *Sardinia*, *Corduba*, *Corſica*, *Murcia*, *Jaen*, the *Algarves*, *Algezira*, *Gibraltar*, the *Canary Iſlands*, the *Eaſt* and *Weſt-Indies*, the *Iſlands* and *Terra-Firma* of the Ocean, Archduke of *Auſtria*, Duke of *Burgundy*, *Brabant*, and *Milan*, Count of *Hapsburg*, *Flanders*, *Tirol*, and *Barcelona*, Lord of *Biſcay* and *Molina*, &c. By the Account and Information of this Inſtrument and Writing of Renunciation and Relinquiſhment, and that it may remain for a perpetual Remembrance, I do make known and declare to Kings, Princes,

Potentates, Commonwealths, Communitys, and particular Perſons, which now are, and ſhall be in future Ages: That it being one of the principal Poſitions of the Treatys of Peace, depending between the Crowns of *Spain* and of *France* with that of *England*, for the rendring it firm and laſting, and proceeding to a general one, on the Maxim of ſecuring for ever the univerſal Good and Quiet of *Europe*, by an equal Weight of Power, ſo that many being united in one, the Ballance of the Equality deſired, might not turn to the Advantage of one, and the Danger and Hazard of the reſt; It was propoſed and inſiſted on by *England*, and it was agreed to on my part, and on that of the King my Grandfather, That for avoiding at any time whatever the Union of this Monarchy with that of *France*, and the poſſibility that it might happen in any caſe, reciprocal Renunciations ſhould be made by me, and for all my Deſcendents, to the poſſibility of ſucceeding to the Monarchy of *France*, and on the part of thoſe Princes, and of all their Race, preſent and to come, to that of ſucceeding to this Monarchy; by forming a proper Project of Abdication of all Rights, which might be claimed by the two Royal Houſes of this and of that Monarchy, as to their ſucceeding mutually to each other; by ſeparating, by the legal means of my Renunciation, my Branch from the Royal Stem of *France*, and all the Branches of *France* from the Stem of the Blood-Royal of *Spain*; by taking care at the ſame time, in purſuance of the fundamental and perpetual Maxim of the Ballance of Power in *Europe*, which perſuades and juſtifys the avoiding in all Caſes imaginable the Union of the Monarchy of *France* with that of *Spain*, that the Inconvenience ſhould likewiſe be provided againſt, leſt, in default of my Iſſue, the Caſe ſhould happen that this Monarchy ſhould devolve again to the Houſe of *Auſtria* whoſe Dominions and Dependences, even without the Union of the Empire, would make it formidable; a Motive which at other times made it juſtifiable to ſeparate the Hereditary Dominions of the Houſe of *Auſtria* from the Body of the *Spaniſh* Monarchy: It being agreed and ſettled to this end by *England* with me, and with the King my Grandfather, that in failure of me and of my Iſſue, the Duke of *Savoy*, and his Sons and Deſcendents, being Males, born in conſtant lawful Marriage, are to enter upon the Succeſſion of this Monarchy; and in default of his Male-Line, the Prince

Amadeo

Amadeo of *Carignan*, and his Sons and Deſcendents, being Males, born in conſtant lawful Marriage; and in default of his Line, Prince *Thomas*, Brother of the Prince of *Carignan*, his Sons and Deſcendents, being Males, born in conſtant lawful Marriage, who as Deſcendents of the Infanta *Donna Catharina*, Daughter of *Philip* the Second, and being expreſly called, have a clear and known Right, ſuppoſing the Friendſhip and perpetual Alliance, which the Duke of *Savoy*, and his Deſcendents are to ſollicit and obtain from this Crown; it being to be believed, that by this perpetual and never-ceaſing Hope, the Needle of the Ballance may remain invariable, and all the Powers, wearied with the Toil and Uncertainty of Battles, may be amicably kept in an equal Poiſe; it not remaining in the Diſpoſal of any of the Partys to alter this federal Equilibrium by way of any Contract of Renunciation, or Retroceſſion; ſince the ſame Reaſon which induced its being admitted, demonſtrates its Permanency, a fundamental Conſtitution being formed, which may ſettle by an unalterable Law the Succeſſion of what is to come. In conſequence of what is aboveſaid, and for the Love I bear to the *Spaniards*, and from the Knowledge I have of what I owe to them, and the repeated Experience of their Fidelity, and for making a return to Divine Providence, by this Reſignation to its Deſtiny, for the great Benefit of having placed and maintained me on the Throne among ſuch illuſtrious and well-deſerving Vaſſals, I have determined to abdicate, for myſelf, and all my Deſcendents, the Right of ſucceeding to the Crown of *France*, deſiring not to depart from living and dying with my beloved and faithful *Spaniards*, leaving to all my Deſcendents the inſeparable Bond of their Fidelity and Love. And to the end that this Reſolution may have its due effect, and that the matter may ceaſe which has been looked upon as one of the principal Motives of the War which has hitherto afflicted *Europe*, of my own Motion, free, ſpontaneous and unconſtrained Will, I *Don Philip*, by the Grace of God, King of *Caſtile*, *Leon*, *Arragon*, the two *Sicilys*, *Jeruſalem*, *Navarre*, *Granada*, *Toledo*, *Valencia*, *Galicia*, *Majorca*, *Seville*, *Sardinia*, *Corduba*, *Corſica*, *Murcia*, *Jaen*, the *Algarves*, *Algezira*, *Gibraltar*, the *Canary Iſlands*, the *Eaſt* and *Weſt-Indies*, the *Iſlands* and *Terra firma* of the Ocean, Archduke of *Auſtria*, Duke of *Burgundy*, *Brabant*, and *Milan*, Count of

Haps-

Hapsburg, *Flanders*, *Tirol*, and *Barcelona*, Lord of *Biſcay* and *Molina*, &c. do by this preſent Inſtrument, for myſelf, for my Heirs and Succeſſors, renounce, quit, and relinquiſh for ever and ever all Pretenſions, Rights and Titles which I have, or any Deſcendent of mine hath at preſent, or may have at any time to come, to the Succeſſion of the Crown of *France*; and I declare, and hold myſelf for excluded and ſeparated, me, and my Sons, Heirs, and Deſcendents for ever, for excluded, and diſabled abſolutely, and without Limitation, Difference, and Diſtinction of Perſons, Degrees, Sexes and Times, from the Act and Right of ſucceeding to the Crown of *France*. And I will and conſent, for myſelf, and my ſaid Deſcendents, that now as well as then, it may be taken to be paſſed over and transferred to him, who by mine and their being excluded, diſabled, and incapacitated, ſhall be found next and immediate in Degree to the King, by whoſe Death it ſhall become vacant; and the Succeſſion to the ſaid Crown of *France* is at any time, and in any caſe to be ſettled on, and given to him, to have and to hold the ſame as true and lawful Succeſſor, in the ſame manner, as if I and my Deſcendents had not been born, or been in the World; ſince for ſuch are we to be held and eſteemed, becauſe in my Perſon, and in that of my Deſcendents, there is no Conſideration to be had, or Foundation to be made of active or paſſive Repreſentation, beginning or continuation of Lineage affective or contentive, of Subſtance, Blood, or Quality; nor can the Deſcent, or Computation of Degrees of thoſe Perſons be derived from the moſt Chriſtian King, my Lord and Grandfather, nor from the Dauphin my Father, nor from the glorious Kings their Progenitors; nor by any other means can they come into the Succeſſion, or take Poſſeſſion of the Degree of Proximity, and exclude from it the Perſon, who as is aboveſaid, ſhall be found next in Degree. I will and conſent for myſelf, and for my Deſcendents, that from this time, as well as then, this Right be look'd upon and conſider'd as paſſed over, and transferred to the Duke of *Berry* my Brother, and to his Sons and Deſcendents, being Males, born in conſtant lawful Marriage; and in default of his Male Iſſue, to the Duke of *Orleans* my Uncle, and to his Sons and Deſcendents, being Males born in conſtant lawful Marriage; and in default of his Iſſue, to the Duke of *Bourbon* my Couſin, and

to

to his Sons and Deſcendents, being Males, born in conſtant lawful Marriage; and in like manner ſucceſſively to all the Princes of the Blood of *France*, their Sons and Deſcendents, being Males, for ever and ever, according to the Place and Order, in which they ſhall be called to the Crown by Right of their Birth; and conſequently to that Perſon among the ſaid Princes, who (I and all my ſaid Deſcendents being, as is aboveſaid, excluded, diſabled, and incapacitated) ſhall be found the neareſt in immediate Degree after that King by whoſe Death the Vacancy of the Crown of *France* ſhall happen, and to whom the Succeſſion ought to belong at any time, and in any caſe whatſoever, that he may poſſeſs the ſame as true and lawful Succeſſor, in the ſame manner as if I and my Deſcendents had not been born. And for the greater ſtrength of this Act of Abdication of all the Rights and Titles which appertained to me, and to all my Sons and Deſcendents, of ſucceeding to the aforeſaid Crown of *France*, I depart from, and relinquiſh eſpecially that which might moreover accrue to the Rights of Birth from the Letters Patent, or Inſtrument, whereby the King my Grandfather preſerved and reſerved to me, and enabled me to enjoy the Right of Succeſſion to the Crown of *France*, which Inſtrument was diſpatched at *Verſailles*, in the Month of *December*, in the Year 1700, and paſſed, and approved, and regiſtred by the Parliament: I will that it cannot ſerve me for a Foundation to the purpoſes therein provided for, and I reject and renounce it, and hold it for null, void, and of no Force, and for cancelled, and as if no ſuch Inſtrument had ever been executed. I promiſe and oblige my ſelf on the Faith of a King's Word, that as much as ſhall relate to my part, and that of my Sons and Deſcendents, which are and ſhall be, I will take care of the Obſervation and Accompliſhment of this Writing, without permitting or conſenting that any thing be done contrary thereunto, directly or indirectly, in the whole, or in part; and I relinquiſh and depart from all and all manner of Remedys, known or unknown, ordinary or extraordinary, and which by common Right, or ſpecial Privilege might belong to us, to me and to my Sons and Deſcendents, to reclaim, mention, or alledge againſt what is aboveſaid; and I renounce them all, and eſpecially that of evident Prejudice, enormous, and moſt enormous, which may be reckoned to have happen'd in this Relin-

quiſhment and Renunciation of the Right of being able at any time to ſucceed to the Crown aforementioned. I will that none of the ſaid Remedys, nor others, of whatſoever Name, Uſe, Importance, and Quality they may be, do avail us. And if, in fact, or under any colour, we ſhould endeavour to ſeize the ſaid Kingdom by force of Arms, by making or moving War, offenſive or defenſive, from this time for ever, it is to be held, judged, and declared, for an unlawful, unjuſt, and wrongfully undertaken War, and for Violence, Invaſion, and Uſurpation, done againſt Reaſon and Conſcience; and on the contrary, that it be judged and eſteemed a juſt, lawful, and allowed War, which ſhall be made, or moved in behalf of him, who by the Excluſion of me, and of my ſaid Sons and Deſcendents, ought to ſucceed to the ſaid Crown of *France*, to whom the Subjects and Natives thereof are to apply themſelves, and to obey him, to take and perform the Oath and Homage of Fealty, and to ſerve him as their lawful King and Lord. And this Relinquiſhment and Renunciation, for me, and my ſaid Sons and Deſcendents, is to be firm, ſtable, valid, and irrevocable, perpetually, for ever and ever. And I declare, and promiſe, that I have not made, neither will I make any Proteſtation, or Reclaiming, in publick or in ſecret, to the contrary, which may hinder, or diminiſh the force of what is contained in this Writing; and that if I ſhould make it, altho it be ſworn to, it is not to be valid, neither can it have any Force. And for the greater Strength and Security of what is contained in this Renunciation, and of what is ſaid and promiſed on my part therein, I give again the pledge of my Faith and Royal Word, and I ſwear ſolemnly by the Goſpels contained in this Miſſal, upon which I lay my Right Hand, that I will obſerve, maintain, and accompliſh this Act and Inſtrument of Renunciation, as well for myſelf, as for all my Succeſſors, Heirs, and Deſcendents, in all the Clauſes therein contained, according to the moſt natural, literal, and plain Senſe and Conſtruction; and that I have not ſought, neither will I ſeek any Diſpenſation from this Oath; and if it ſhall be ſought for by any particular Perſon, or ſhall be granted *motu proprio*, I will not uſe it, nor take any advantage of it. Nay, in ſuch caſe as that it ſhould be granted me, I make another the like Oath, that there may always be and remain one Oath above and beyond all Diſpenſations

penſations which may be granted me. And I deliver this Writing before the preſent Secretary, Notary of this my Kingdom; and I have ſigned it, and commanded it to be ſealed with my Royal Seal; there being provided, and called as Witneſſes, the Cardinal *Don Franciſco de Judice*, Inquiſitor-General, and Archbiſhop of *Montreal*, one of my Council of State; *Don Joſeph Fernandez* of *Velaſco* and *Tobar*, Conſtable of *Caſtile*, Duke of *Frias*, Gentleman of my Chamber, my High Steward of my Houſhold, great Cup-Bearer, and great Huntſman; *Don Juan Claros Alfonſo Perez de Guſman el Bueno*, Duke of *Medina Sidonia*, Knight of the Order of the Holy Ghoſt, my great Maſter of the Horſe, Gentleman of my Chamber, and one of my Council of State; *Don Franciſco Andres de Benavides*, Count of *Santiſtevan*, one of my Council of State, and High Steward to the Queen; *Don Carlos Homodei Laco de la Vega*, Marquiſs of *Almonacir*, and Count of *Caſa Palma*, Gentleman of my Chamber, one of my Council of State, and great Maſter of the Horſe to the Queen; *Don Reſtayno Cantelmo*, Duke of *Popoli*, Knight of the Order of the Holy Ghoſt, Gentleman of my Chamber, and Captain of my *Italian* Life-Guards; *Don Fernando* of *Arragon* and *Moncada*, Duke of *Montalto*, Marquiſs of *los Velez*, Commander of *Silla* and *Benaſul* in the Order of *Monteſſa*, Gentleman of my Chamber, and one of my Council of State; *Don Antonio Sebaſtian Toledo*, Marquiſs of *Manſera*, Gentleman of my Chamber, one of my Council of State, and Preſident of that of *Italy*; *Don Juan Domingo* of *Haro* and *Guzman*, Great Commander in the Order of St. *James*, one of my Council of State; *Don Joachim Ponce* of *Leon*, Duke of *Arcos*, Gentleman of my Chamber, Great Commander in the Order of *Calatrava*, one of my Council of State; *Don Domingo de Giudice*, Duke of *Giovenazzo*, one of my Council of State; *Don Manuel Coloma*, Marquiſs of *Canales*, Gentleman of my Chamber, one of my Council of State, and Captain General to the Artillery of *Spain*; *Don Joſeph de Solis*, Duke of *Montellano*, one of my Council of State; *Don Rodrigo Manuel Manrique de Lara*, Count of *Frigiliana*, Gentleman of my Chamber, one of my Council of State, and Preſident of that of the *Indies*; *Don Iſidro de la Cueva*, Marquiſs of *Bedmar*, Knight of the Order of the Holy Ghoſt, Gentleman of my Chamber, one of my Council of State, Preſident of that of the Orders, and firſt Miniſter of War;

Don

Don Franciſco Ronquillo Briceno, Count of *Gramedo*, Governour of my Council of *Caſtile*; *Don Lorenzo Armangual*, Biſhop of *Gironda*, one of my Council, and Chamber of *Caſtile*, and Governour of that of the Revenues; *Don Carlos de Borja* and *Centellas*, Patriarch of the *Indies*, one of my Council of the Orders, my Chaplain and Great Almoner, and Vicar-General of my Armys; *Don Martin de Guzman*, Marquiſs of *Montealegre*, Gentleman of my Chamber, and Captain of my Guard of Halberdiers; *Don Pedro de Toledo Sermiento*, Count of *Gondemar*, one of my Council and Chamber of *Caſtile*; *Don Franciſco Rodrigues de Mondaraſqueta*, Commiſſary General of the *Cruzada*; and *Don Melchior de Avellaneda*, Marquiſs of *Valdecanas*, one of my Council of War, and Director General of the Infantry of *Spain*.

I THE KING.

I *Don Manuel* of *Vadillo* and *Velaſco*, Knight of the Order of St. *James*, and Commander of *Beſuelo* in that of *Calatrava*, Secretary of State to his Majeſty, Publick Notary and Writer in his Kingdoms and Dominions, who was preſent at the Delivery, and at all the reſt herein above contained, do teſtify the ſame: And in witneſs of the Truth I have ſign'd it, and put my Name thereto, in *Madrid*, the 5th of *November*, 1712.

Manuel Vadillo y Velaſco.

NOW in regard to the Federal Conventions, whereof mention is made in the ſaid Inſtrument here inſerted, and to the end it may appear authentically to all the Partys where it appertains, and who may pretend to make uſe of the Contents thereof; and for all the Effects which may take place in Right, and which may be derived from the delivery hereof, under the Clauſes, Conditions, and Suppoſitions therein contained, I have commanded theſe Preſents to be made out, ſign'd with my Hand, and ſealed with the Seal of my Royal Arms, and counterſigned by my underwritten Secretary of State, and Chief Notary of theſe my Kingdoms, at *Buen Retiro*, the 7th of *November*, 1712.

(L. S.) *I THE KING.*

Manuel de Vadillo y Velaſco.

Read

Read and publiſhed, the Court being aſſembled, and regiſtred in the Rolls of the Court, the King's Advocate-General being heard and moving for the ſame, to the end that it may be executed according to the Form and Tenor thereof, in purſuance of and in conformity to the Acts of this Day. At *Paris*, in Parliament, the 15th of *March*, 1713.

Sign'd,

DONGOIS.

I *Don Franciſco Antonio le Quincoces*, Knight of the Order of St. *James*, one of his Majeſty's Council, and Secretary of that of the Chamber, and of the State of *Caſtile*, Publick Notary and Writer in his Kingdoms and Dominions,

Do certify, that in purſuance of the Propoſition which the King our Lord (whom God preſerve) made to the Kingdom aſſembled in Cortes, repreſented by all the Knights Deputys from the Citys and Towns which have a Vote therein, the fifth Day of this preſent Month and Year, in his Royal Palace of *Buen Retiro*, and upon ſight of the Inſtrument of Renunciation, delivered by his Majeſty the ſame Day, Month and Year, before *Don Manuel* of *Vadillo* and *Velaſco*, his Secretary of State, and Publick Notary and Writer in all his Kingdoms and Dominions, which his Majeſty ordered him to preſent, and which was read, and publiſhed in the Meeting of the Cortes, which the Kingdom held for this alone, the Ninth of this Month, the following Reſolution was agreed upon.

That the moſt humble Repreſentation be made by the Kingdom, laying ourſelves at the Royal feet of his Majeſty, giving him immortal Thanks for the immenſe Benefits, and exceeding great Favours, wherewith he has been pleaſed to honour and exalt the *Spaniſh* Nation, by taking care of the greateſt Good and Advantage of his moſt loving Vaſſals, by procuring to this Monarchy the eaſe of this deſired Peace and Tranquillity. And that the Kingdom, deſiring on their part to contribute to the attaining the Royal Intention of his Majeſty, aſſents to, and if it were neceſſary for the greater Authority, Validity and Strength, approves, and confirms the Renunciation which his Majeſty has pleaſed to make for himſelf, and in the name

name of all his Royal Deſcendents, to the Succeſſion which poſſibly may happen of the Monarchy of *France*, with this circumſtance, that the like Renunciation to this Crown is to be executed by the Princes of that Royal Family, and their Deſcendents; and likewiſe the perpetual Excluſion of the Houſe of *Auſtria* from the Dominions of this Monarchy; and in like manner, in caſe of failure (which God forbid) of the Royal Iſſue of his Majeſty, the calling of the Houſe of the Duke of *Savoy*, and of all his Sons, and Male Deſcendents, born in conſtant lawful Matrimony; and in default of all theſe Lines, of the Prince *Amadeus* of *Carignan*, his Sons and Male Deſcendents, born in conſtant lawful Matrimony; and in failure thereof, of the Prince *Thomas*, Brother of the ſaid Prince of *Carignan*, his Sons, and Male Deſcendents, born in conſtant lawful Matrimony; who, as Deſcendents of the Infanta *Donna Catharina*, Daughter of *Philip* the Second, and being expreſly called, have a clear and known Right, ſuppoſing the Friendſhip and perpetual Alliance with this Crown, which ought to be ſought and obtained by the Duke of *Savoy*, and his Deſcendents. And that the Kingdom approves, agrees to, and ratifys all theſe three things, and each of them, with the ſame Qualitys, Conditions, and Suppoſitions, as are expreſſed, inferred, and concluded in the ſaid Inſtrument of Renunciation executed by his Majeſty, which has been mentioned and referred to. And laſtly, That for ſecuring and eſtabliſhing the ſtrength of theſe Treatys, theſe Kingdoms oblige themſelves, with all their power and force, to cauſe to be maintained the Royal Reſolutions of his Majeſty, ſacrificing in his Royal Service, even to the laſt drop of their Blood, offering to his Majeſty their Lives and Fortunes, in token of their Love. And that for the eternal Remembrance and Obſervance of the Royal Deliberation of his Majeſty, and Agreement of the Kingdom, it be deſired in their name, (as in effect they have deſired and petitioned by their Repreſentation and Conſultation made the ſame Ninth day of this Month) that his Majeſty would be pleaſed to order that by annulling all that ſhall be found to the contrary, it be eſtabliſhed as a fundamental Law, as well the aforeſaid Renunciations, as the perpetual Excluſion of the Houſe of *Auſtria* from the Dominions of this Crown, and the calling of that of *Savoy* to the Succeſſion of theſe Kingdoms, in default (which God forbid)

bid) of Deſcendents from his Majeſty; which the Kingdom, with the Approbation of his Majeſty, does even now agree to, as the Foundation on which depends the greateſt Good and Advantage of this Monarchy, ſo much purſued, favoured, and exalted by the Royal Benevolence of his Majeſty.

And the King our Lord, having agreed to this unanimous and uniform Reſolution and Repreſentation of all the Knights Deputys in the Cortes of the Kingdom, has been pleaſed, by his Royal Decree of the Seventeenth of this Month, to command it to be remitted to this Supreme Council, jointly with the Writing of Renunciation; ordaining that the Tenor of the Law be forthwith formed, extended, and diſpoſed, with all the circumſtances of Clearneſs and Strength, for its more inviolable and perpetual Obſervation.

As all that is aboveſaid does more largely appear from the aforementioned Inſtruments, the Reſolution, and Supplication of the Kingdom, which are cited, and to which I refer. And this Certificate ſigned with my Hand, ſealed with the Seal of the Royal Arms of his Majeſty, I give by virtue of his Royal Order, in the Paper of the Marquiſs of *Mejorada* and of *Brena*, one of his Council, Gentleman of his Chamber, his Secretary of State, and of the Univerſal Diſpatch. At *Madrid* the Ninth of *November*, 1712.

(L. S.) *Don Franciſco de Quincoces.*

CHARLES.

CHARLES Son of *France*, Duke of *Berry*, *Alenſon*, and *Angouleſme*, Viſcount of *Vernon*, *Andely*, and *Giſors*, Lord of the Chatellanys of *Coignac* and *Merpins*; To all Kings, Princes, Commonwealths, Communitys, and to all other Bodys, and private Perſons, preſent and to come, be it known. All the Powers of *Europe* finding themſelves almoſt ruined on account of the preſent Wars, which have carried Deſolation to the Frontiers, and into many other parts of the richeſt Monarchys, and other Dominions; It has been agreed in the Conferences and Treatys of Peace, which are negotiating with *Great Britain*, to eſtabliſh an Equilibrium, and political Boundarys between the Kingdoms, whereof the Intereſts have been

and are ſtill the ſad occaſion of a bloody Diſpute; and to hold it for a fundamental Maxim, in order to preſerve this Peace, that Proviſion ought to be made, that the Forces of theſe Kingdoms may not become formidable, nor be able to cauſe any Jealouſy; which, it has been thought, cannot be ſettled more ſolidly than by hindring them from extending themſelves, and by keeping a certain Proportion; to the end that the weaker being united together may defend themſelves againſt the more powerful, and ſupport themſelves reſpectively againſt their Equals.

For this purpoſe the King, our moſt honoured Lord and Grandfather, and the King of *Spain*, our moſt dear Brother, have agreed and concluded with the Queen of *Great Britain*, that reciprocal Renunciations ſhall be made by all the Princes, both preſent and to come, of the Crown of *France*, and of that of *Spain*, of all Rights which may appertain to each of them to the Succeſſion of the one or of the other Kingdom, by eſtabliſhing an habitual Right to the Succeſſion to the Crown of *Spain*, in that Line which ſhall be made capable thereof, and declared immediate after that of King *Philip* the Fifth our Brother, by the Eſtates of *Spain*, who were to aſſemble for this purpoſe; by making an immoveable Balance to maintain the Equilibrium, which is intended to be placed in *Europe*; and by going on to particularize all the Caſes of Union which are fore ſeen, to ſerve as an example for all ſuch as may happen. It has likewiſe been agreed and concluded between the King our moſt honoured Lord and Grandfather, King *Philip* the Fifth our Brother, and the Queen of *Great Britain*, That the ſaid King *Philip* ſhall renounce for himſelf, and for all his Deſcendents, the hopes of ſucceeding to the Crown of *France*; That on our ſide we ſhall renounce in like manner for us, and for our Deſcendents, the Crown of *Spain*; That the Duke of *Orleans*, our moſt dear Uncle, ſhall do the ſame thing; ſo that all the Lines of *France*, and of *Spain*, reſpectively and relatively, ſhall be excluded for ever, and by all kind of ways, from all the Right, which the Lines of *France* might have to the Crown of *Spain*, and the Lines of *Spain* to the Crown of *France*: and laſtly, that care ſhall be taken, that under pretence of the ſaid Renunciations, or under any other pretence whatſoever, the Houſe of *Auſtria* may not make uſe of the Pretenſions, which it might

might have to the Succeſſion of the Monarchy of *Spain*; foraſmuch as by uniting this Monarchy to the Hereditary Countrys and Dominions of that Houſe, it would become formidable, even without the Union of the Empire, to the other Powers, which are between both, and which would find themſelves as it were ſurrounded; which would deſtroy the Equality that is eſtabliſhing at preſent, to ſecure and ſtrengthen more perfectly the Peace of Chriſtendom, and to take away all manner of Jealouſy from the Powers of the *North*, and of the *Weſt*: which is the End propoſed by this political Equilibrium, by removing and excluding all theſe Branches, and calling to the Crown of *Spain*, in default of the Lines of King *Philip* the Fifth, our Brother, and of all his Children and Deſcendents, the Houſe of the Duke of *Savoy*, which deſcends from the Infanta *Catharina* Daughter of *Philip* the Second; it having been conſidered, That in making the ſaid Houſe of *Savoy* ſucceed immediately in this manner, this Equality and Balance between the three Powers may be fixed as it were in its Center, without which it would be impoſſible to extinguiſh the Flame of War, which has been kindled, and is capable of deſtroying every thing.

Being willing therefore to concur by our Relinquiſhment, and by the Abdication of all our Rights, for us, our Succeſſors and Deſcendents, to the eſtabliſhing of the univerſal Repoſe, and the ſecuring the Peace of *Europe*; becauſe we believe that this Method is the ſureſt and moſt effectual in the terrible circumſtances of this Conjuncture, We have reſolved to renounce the Hopes of ſucceeding to the Crown of *Spain*, and all the Rights thereunto, which belong to us, and may belong to us, under any Title, and by any means whatſoever. And to the end that this Reſolution may have its full effect, and alſo by reaſon that King *Philip* the Fifth, our Brother, did, on his part, the Fifth of this preſent Month of *November*, make his Renunciation of the Crown of *France*; We of our mere, free, and frank Will, and without being moved thereunto by any reſpectful Awe, or by any other Regard, except thoſe abovementioned, do declare, and hold ourſelves from this preſent, we, our Children, and Deſcendents, excluded and diſabled abſolutely for ever, without Limitation or Diſtinction of Perſons, Degrees, or Sexes, from every Act, and from all Right of ſucceeding to the Crown of *Spain*. We will, and conſent, for us, our ſaid Children and Deſcendents, That from this

time and for ever, we and they, in conſequence of theſe Preſents, be held to be excluded and diſabled in like manner as all the other Deſcendents of the Houſe of *Auſtria*, who, as it has been ſaid and ſuppoſed, ought alſo to be excluded, in whatever Degree we may be, both the one and the other; and if the Succeſſion falls to us, our Line, that of all our Deſcendents, and all the others of the Houſe of *Auſtria*, as it has been ſaid, ought to be ſeparated and excluded therefrom. That for this reaſon the Kingdom of *Spain* be accounted as devolved, and transferred to him, to whom in ſuch caſe the Succeſſion ought to devolve and be transferred at any time whatſoever, ſo that we do take and hold him for true and lawful Succeſſor; becauſe for the ſame Reaſons and Motives, and in conſequence of theſe Preſents, neither we nor our Deſcendents ought any more to be conſidered as having any Foundation of Repreſentation active or paſſive, or making any Continuation of Line effective, or contentive of Subſtance, Blood, or Quality, or likewiſe to derive any Right from our Deſcent, or to reckon our Degrees from the Perſons of the Queen *Maria Thereſa* of *Auſtria*, our moſt honoured Lady and Grandmother, or the Queen *Anne* of *Auſtria*, our moſt honoured Lady and Great Grandmother, or of the glorious Kings their Anceſtors: on the contrary, we ratify the Clauſes of their Wills, and the Renunciations made by the ſaid Ladys, our Grandmother and Great-Grandmother; we renounce likewiſe the Right which may belong to us, and to our Children and Deſcendents, by virtue of the Will of King *Charles* the Second, which, notwithſtanding what is above mentioned, calls us to the Succeſſion of the Crown of *Spain*, in caſe of Failure of the Line of *Philip* the Fifth: We therefore relinquiſh this Right, and renounce the ſame, for us, our Children and Deſcendents. We promiſe and engage, for us, our ſaid Children and Deſcendents, to employ ourſelves with all our might, in cauſing this preſent Act to be fulfilled, without allowing, or ſuffering that the ſame be violated directly or indirectly, in the whole, or in part. And we relinquiſh all Means, ordinary or extraordinary, which, by common Right, or by any ſpecial Privilege, might belong to us, our Children and Deſcendents; which Means we likewiſe renounce abſolutely, and particularly that of evident, enormous, and moſt enormous Prejudice, which may be found in the ſaid Renunciation of

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the Succeſſion to the Crown of *Spain*. And we will that none of the ſaid Means may, or can have any effect; and that, if, under this pretext, or any other colour, we ſhould poſſeſs ourſelves of the ſaid Kingdom by force of Arms, the War which we ſhould make or ſtir up, be deemed unjuſt, unlawful, and unduly undertaken: and on the contrary, that the War which he ſhould make upon us, who by virtue of this Renunciation ſhould have right to ſucceed to the Crown of *Spain*, be deemed juſt and allowable; and that all the Subjects and People of *Spain* do acknowledg him, obey him, defend him, do him Homage, and ſwear Fealty to him, as to their King and lawful Lord.

And for the greater Security of all that we ſay and promiſe for ourſelves, and in the Name of our Children and Deſcendents, we ſwear ſolemnly on the Goſpels contained in this Miſſal, upon which we lay our right Hand, that we will keep, maintain, and fulfil the ſame in all and every part thereof; that we will never ask to be relieved from the ſame: and if any one do ask it for us, or if it be granted us *motu proprio*, we will not make uſe, or take advantage of it: But rather in caſe it ſhould be granted us, we over and above make this other Oath, and this ſhall ſubſiſt and remain for ever, whatever Diſpenſations may be granted us. We ſwear and promiſe likewiſe, that we have not made, neither will we make, in publick or in ſecret, any Proteſtation, or Reclamation to the contrary, which may hinder what is contained in theſe Preſents, or leſſen the force thereof; and if we ſhould make any, whatever Oaths they may be accompanied with, they ſhall not have any force or virtue, or produce any effect.

In Witneſs whereof, and to render theſe Preſents authentick, they have been paſſed before Maſters *Alexander le Fevre*, and *Anthony le Moyne*, Counſellors to the King, Notarys, Minute-keepers to his Majeſty, and Seal-keepers in the Chatelet of *Paris*, here under-written, who have wholly delivered this preſent Act: And for cauſing theſe Preſents to be publiſhed and regiſtered, wherever it ſhall be neceſſary, my Lord the Duke of *Berry* has conſtituted the Bearers of theſe Diſpatches, by Duplicates thereof, his general and ſpecial Attorneys; to whom my ſaid Lord has, by theſe ſaid Preſents, given ſpecial Power and Authority in that behalf, at *Marly*, the twenty fourth Day of *November*, 1712, before Noon; and has ſigned the pre-

ſent Duplicate, and another, and the Minute thereof remaining in the Hands of the ſaid *le Moyne* Notary.

Signed, *CHARLES.*

Le Fevre, Le Moyne.

WE *Jerome d' Argouges* Knight, Counſellor to the King in his Councils, Honorary Maſter of the Requeſts of his Houſhold, Civil Lieutenant of the City, Provoſtſhip and Vicounty of *Paris*, do certify to all to whom it may appertain, That Maſters *Alexander le Fevre* and *Anthony le Moyne*, who have ſigned the Act on the other ſide, are Counſellors to the King, Notarys, Minute-keepers to his Majeſty, and Seal-keepers at the Chatelet of *Paris*; and that Faith is to be given, as well in Court as out of it, to the Acts received by them. In Witneſs whereof, we have ſigned theſe Preſents, cauſed the ſame to be counterſigned by our Secretary, and the Seal of our Arms to be affixed. At *Paris*, the 24th of *November*, 1712.

Signed, *d' ARGOUGES.*

By my ſaid Lord, *BARBEY.*

Read and publiſhed, the Court ſitting, and regiſtered in the Rolls of the Court, the King's Attorney-General being heard, and moving for the ſame, in order to its being executed according to its Form and Tenor, in purſuance of, and in conformity to, the Acts of this Day. At *Paris*, in Parliament, the 15th of *March*, 1713.

Signed, *DONGOIS.*

PHILIP Grandſon of *France*, Duke of *Orleans*, *Valois*, *Chartres*, and *Nemours*, To all Kings, Princes, Commonwealths, Potentates, Communitys, and to all Perſons, as well preſent as to come, We make known by theſe Preſents; That the Fear of the Union of the Crowns of *France* and *Spain*, having been the principal Motive of the preſent War, and the other Powers of *Europe* having always apprehended

hended leſt theſe two Crowns ſhould come upon one Head, it has been laid down as the Foundation of the Peace, which is treated of at preſent, and which 'tis hoped may be cemented more and more, for the Repoſe of ſuch a number of Countrys, which have ſacrificed themſelves, as ſo many Victims, to oppoſe the Dangers wherewith they thought themſelves threatned, That it was neceſſary to eſtabliſh a kind of Equality and Equilibrium between the Princes who were in diſpute; and to ſeparate for ever, in an irrevocable manner, the Rights which they pretend to have, and which they defended, Sword in Hand, with a reciprocal Slaughter on each ſide.

That with intent to eſtabliſh this Equality, the Queen of *Great Britain* propoſed, and upon her Inſtances it has been agreed by the King, our moſt honoured Lord and Uncle, and by the Catholick King, our moſt dear Nephew, that for avoiding at any time whatſoever the Union of the Crowns of *France* and *Spain*, reciprocal Renunciations ſhould be made; that is to ſay, by the Catholick King *Philip* the Fifth, our Nephew, for himſelf and for all his Deſcendents, of the Succeſſion to the Crown of *France*; as alſo by the Duke of *Berry*, our moſt dear Nephew, and by us, for ourſelves, and for all our Deſcendents, of the Crown of *Spain*; on Condition likewiſe, that neither the Houſe of *Auſtria*, nor any of the Deſcendents thereof, ſhall be able to ſucceed to the Crown of *Spain*, becauſe this Houſe itſelf, without the Union of the Empire, would become formidable, if it ſhould add a new Power to its antient Dominions; and conſequently this Equilibrium, which is deſigned to be eſtabliſhed for the good of the Princes and States of *Europe*, would ceaſe. Now it is certain that without this Equilibrium, either the States ſuffer from the Weight of their own Greatneſs, or Envy engages their Neighbours to make Alliances to attack them, and to reduce them to ſuch a Point, that theſe great Powers may inſpire leſs Fear, and may not aſpire to an univerſal Monarchy.

For attaining the End which is propoſed, and by reaſon that his Catholick Majeſty has on his part made his Renunciation the fifth of this preſent Month, We conſent, that in failure of *Philip* V. our Nephew, and of his Deſcendents, the Crown of *Spain* do paſs over to the Houſe of the Duke of *Savoy*, whoſe Rights are clear and known, inaſmuch as he deſcends from the Infanta *Catharine*, Daugh-

ter of *Philip* II. and as he is called by the other Kings his Succeſſors; ſo that his Right to the Succeſſion of *Spain* is indiſputable.

And we deſiring on our ſide to concur towards the glorious End which is propoſed for re-eſtabliſhing the publick Tranquillity, and for preventing the Fears which the Rights of our Birth, or any others which might appertain to us, might occaſion, have reſolved to make this Relinquiſhment, this Abdication, and this Renunciation of all our Rights, for ourſelves, and in the Name of all our Succeſſors and Deſcendents: And for the accompliſhing of this Reſolution, which we have taken of our mere, free, and frank Will, we declare and hold ourſelves from this preſent, us, our Children and Deſcendents, excluded and diſabled, abſolutely and for ever, and without Limitation or Diſtinction of Perſons, of Degrees and of Sexes, from every Act, and from all Right of ſucceeding to the Crown of *Spain*. We will and conſent, for us and our Deſcendents, that from this time, and for ever, we be held, we and ours, as excluded, diſabled, and incapacitated, in whatever Degree we may happen to be, and in what manner ſoever the Succeſſion may fall to our Line, and to all others, whether of the Houſe of *France* or of that of *Auſtria*, and of all the Deſcendents both of the one and the other Houſe, which, as it is ſaid and ſuppoſed, ought likewiſe to hold themſelves for ever cut off and excluded: And that for this Reaſon the Succeſſion to the ſaid Crown of *Spain* be deemed to be devolved, and transferred to him, to whom the Succeſſion of *Spain* ought to be transferred, in ſuch caſe, and at any time whatſoever; ſo that we do take and hold him for true and lawful Succeſſor, becauſe neither we, nor our Deſcendents, ought any more to be conſidered as having any Foundation of Repreſentation, active or paſſive, or making a Continuation of a Line effective, or contentive of Subſtance, Blood, or Quality; nor ought we to derive any Right from our Deſcent, or reckon the Degrees from Queen *Anne* of *Auſtria*, our moſt honourable Lady and Grandmother, nor from the glorious Kings her Anceſtors. On the contrary, we ratify the Renunciation which the ſaid Lady Queen *Anne* made, and all the Clauſes which the Kings, *Philip* III. and *Philip* IV. inſerted in their Wills. We renounce in like manner all the Right which may appertain to us, and to our Children and Deſcendents, by virtue of the Declaration made at *Madrid*

the 29th of *October* 1703, by *Philip* the Fifth King of *Spain*, our Nephew; and any Right which might appertain to us, for us, and our Deſcendents, we relinquiſh the ſame, and renounce it for us and for them. We promiſe and engage for us, our ſaid Children and Deſcendents, preſent and to come, to employ ourſelves with all our might, in cauſing theſe Preſents to be obſerved and fulfilled, without allowing or ſuffering, directly or indirectly, the ſame to be violated, whether in the whole or in part. And we relinquiſh all Means, ordinary or extraordinary, which by common Right, or any ſpecial Privilege, might appertain to us, our Children and Deſcendents; which Means we renounce abſolutely, and in particular that of evident, enormous, and moſt enormous Prejudice, which may be found in the Renunciation of the Succeſſion to the ſaid Crown of *Spain*. And we will that any of the ſaid Means neither may, nor can ſerve, or avail us. And if under this Pretext, or any other Colour whatever, we would poſſeſs ourſelves of the ſaid Kingdom of *Spain* by force of Arms, that the War which we ſhould make, or ſtir up, be held for unjuſt, unlawful, and unduly undertaken; and that on the contrary, that which he ſhould make upon us, who, by virtue of this Renunciation ſhould have Right to ſucceed to the Crown of *Spain*, be held for juſt and allowable: And that all the Subjects and People of *Spain* do acknowledg him, obey him, defend him, do Homage to him, and take the Oath of Fealty to him, as to their King, and lawful Lord.

And for the greater Aſſurance and Security of all that we ſay and promiſe, for us, and in the Name of our Succeſſors and Deſcendents, we ſwear ſolemnly on the Holy Goſpels contained in this Miſſal, whereon we lay our right Hand, that we will keep, maintain, and fulfil the ſame wholly and entirely; and that we will at no time ask to have ourſelves relieved therefrom; or if any Perſon ask it, or if it is granted us *motu proprio*, we will not make uſe, or avail ourſelves thereof; but rather in caſe it ſhould be granted us, we make another Oath, that this ſhall ſubſiſt and remain for ever, what Diſpenſation ſoever may be granted us. We further ſwear and promiſe, That we have not made, neither will we make, either in publick or in ſecret, any Proteſtation or Reclamation to the contrary, which may hinder that which is contained in theſe Preſents, or leſſen the Force thereof; and if we ſhould make any, what Oath ſoever they may be attended with,

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they ſhall not have either Force or Virtue, or produce any Effect.

And for greater Security, we have paſſed, and do paſs the preſent Act of Renunciation, Abdication, and Relinquiſhment, before Maſters *Anthony le Moyne*, and *Alexander le Fevre*, Counſellors to the King, Notarys, Minute-keepers, and Seal-keepers at the Chatelet of *Paris*, here under-written, in our Palace-Royal at *Paris*, 1712, the 19th of *November*, before Noon: and for cauſing theſe Preſents to be publiſhed and regiſter'd in every Place, where it ſhall appertain, we have conſtituted the Bearer to be our Attorney; and we have ſigned theſe Preſents, and the Minute thereof remaining in the Poſſeſſion of the ſaid *le Fevre*, Notary.

PHILIP of *ORLEANS*.

Le Moyne, *Le Fevre*.

WE *Jerom d' Argouges*, Knight, Lord of *Fleury*, Counſellor to the King in his Councils, Honorary Maſter of the Requeſts of his Houſhold, Civil Lieutenant of the City, Provoſtſhip, and Vicounty of *Paris*, do certify to all to whom it ſhall appertain, That Maſter *Anthony le Moyne*, and *Alexander le Fevre*, who have ſigned the Act of Renunciation on the other ſide, are Counſellors to the King, Notarys at the Chatelet of *Paris*; and that Faith ought to be given as well in Judgment, as out of the ſame, to the Acts by them received. In Witneſs whereof, we have ſigned theſe Preſents, cauſed the ſame to be counterſigned by our Secretary, and the Seal of our Arms to be affixed. At *Paris*, the 21ſt of *November*, 1712.

Signed, *d' ARGOUGES*.

By my ſaid Lord, *BARBEY*.

Read and publiſhed, the Court being aſſembled, and regiſtred in the Rolls of the Court, the King's Attorney General being heard and requiring the ſame, that it may be executed according to its Form and Tenor, in purſuance of, and in conformity to, the Acts of this Day. At *Paris*, in Parliament, the 15th of *March*, 1713.

Sign'd, *DONGOIS*.

The

The King's Letters Patent of the Month of December, 1700.

LEWIS, by the Grace of God, King of *France* and *Navarre*, To all preſent and to come, Greeting. The Proſperitys which it has pleaſed God to heap upon us during the Courſe of our Reign, are ſo many Motives to us, to apply ourſelves, not only for the time preſent but alſo for the future, to the Happineſs and Tranquillity of the People whereof divine Providence has entruſted to us the Government. His impenetrable Judgments let us only ſee, that we ought not to place our confidence, neither in our Forces, nor in the Extent of our Dominions, nor in a numerous Poſterity; and that theſe Advantages which we receive from his Goodneſs alone, have no other Solidity than what it pleaſes him to give them. But as it is however his Will, that the Kings whom he chuſes to lead his People, ſhould foreſee afar off the Events able to produce Diſorders, and the moſt bloody Wars; that they ſhould make uſe of the Lights, which his divine Wiſdom pours upon them; we fulfil his Deſigns, when, in the midſt of the univerſal Rejoicings of our Kingdom, we look upon, as a poſſible thing, a ſad Futurity, which we pray God to avert for ever. At the ſame time that we accept the Will of the late King of *Spain*; that our moſt dear and moſt beloved Son, the *Dauphin*, renounces his lawful Right to that Crown in favour of his ſecond Son the Duke of *Anjou*, our moſt dear and moſt beloved Grandſon, inſtituted by the late King of *Spain* his univerſal Heir; that this Prince, known at preſent by the Name of *Philip* V. King of *Spain*, is ready to enter his Kingdom, and to anſwer the earneſt Wiſhes of his new Subjects: This great Event does not hinder us from carrying our Views beyond the Time preſent; and when our Succeſſion appears the beſt eſtabliſhed, we judge it to be equally the Duty of a King, and of a Father, to declare for the future our Will, conformably to the Sentiments which theſe two Qualitys inſpire in us. Wherefore being perſuaded that the King of *Spain*, our Grandſon, will always preſerve for us, for our Houſe, for the Kingdom wherein he was born, the ſame Tenderneſs, and the ſame Sentiments, whereof he has given us ſo many Proofs; that his Example uniting his new Subjects to ours,

ours, is going to form a perpetual Amity, and the moſt perfect Correſpondence between them; We ſhould think likewiſe that we do him an Injuſtice, whereof we are incapable, and occaſion an irreparable Prejudice to our Kingdom, if we ſhould hereafter look upon as a Stranger, a Prince whom we grant to the unanimous Requeſts of the *Spaniſh* Nation.

For theſe Cauſes, and other great Conſiderations us hereunto moving, of our ſpecial Grace, full Power, and Royal Authority, we have reſolved, declared and ordained, and by theſe Preſents ſigned with our Hand, we do reſolve, declare and ordain, we will, and it is our Pleaſure, That our moſt dear and moſt beloved Grandſon, the King of *Spain*, do preſerve for ever the Rights of his Birth, in the ſame manner as if he made his actual Reſidence in our Kingdom. Wherefore our moſt dear and moſt beloved only Son, the *Dauphin*, being the true and lawful Succeſſor and Heir of our Crown, and of our Dominions, and after him our moſt dear and moſt beloved Grandſon, the Duke of *Burgundy*, if it ſhould happen (which God forbid) that our ſaid Grandſon the Duke of *Burgundy*, ſhould come to die without Male-Children, or that thoſe which he ſhould have in good and lawful Marriage, ſhould die before him; or if the ſaid Male-Children ſhould not leave any Male-Children after them born in lawful Marriage; in ſuch caſe our ſaid Grandſon, the King of *Spain*, making uſe of the Rights of his Birth, is to be the true and lawful Succeſſor to our Crown, and to our Dominions, notwithſtanding he ſhould be at that time abſent, and reſiding out of our ſaid Kingdom: And immediately after his Deceaſe, his Heirs Male begot in lawful Marriage, ſhall come into the ſaid Succeſſion, notwithſtanding that they may be born, or may dwell out of our Kingdom. We will that for the aboveſaid Cauſes, neither our ſaid Grandſon, the King of *Spain*, nor his Children, being Males, be deemed and reputed leſs able and capable to enter upon the ſaid Succeſſion, or upon others which may fall to them within our ſaid Kingdom. On the contrary we intend, That all Rights, and generally other things whatever, which may at preſent, or for the future belong and appertain to them, be and remain preſerved whole and entire, as if they did reſide and dwell conſtantly within our Kingdom to the time of their Deceaſe, and as if their Heirs had been Natives, and Inhabitants of the Kingdom; having

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ing for this purpoſe, as far as there is or ſhall be need, enabled and diſpenſed with them, as we do enable and diſpenſe with them by theſe Preſents. And ſo we give it in command to our beloved and truſty Counſellors, the Members of our Court of Parliament, and Chamber of our Accounts at *Paris*, Preſidents and Treaſurers General of *France* in the Office of our Exchequer eſtabliſhed in the ſame Place, and to all others our Officers and Juſtices to whom it ſhall appertain, that they cauſe theſe Preſents to be regiſtred; and our ſaid Grandſon the King of *Spain*, his Children and Deſcendents, being Male, born in lawful Marriage, to enjoy and uſe the Contents thereof, fully and peaceably, any thing to the contrary notwithſtanding; to which by our Grace and Authority, as aboveſaid, we have derogated and do derogate: for this is our Pleaſure. And that this may be a Matter firm and laſting for ever, we have cauſed our Seal to be put to theſe Preſents. Given at *Verſailles*, in the Month of *December*, in the Year of our Lord 1700, and of our Reign the 58th. Signed *LEWIS*, and on the Fold, By the King, *Phelipeaux*. And ſealed with the Great Seal on Green Wax, with Strings of red and green Silk.

Regiſtred, the King's Attorney-General being heard and requiring the ſame, in order to their being executed according to their Form and Tenor, purſuant to the Act of this Day. At *Paris*, in Parliament, the Firſt of *February* 1701.

Signed, *DONGOIS.*

Now whereas it is provided and ſettled by the preceding Renunciation (which is always to have the force of a pragmatick, fundamental, and inviolable Law) That at no time whatever either the Catholick King himſelf, or any one of his Lineage, ſhall ſeek to obtain the Crown of *France*, or aſcend the Throne thereof; and by reciprocal Renunciations on the part of *France*, and by Settlements of the Hereditary Succeſſion there, tending to the ſame purpoſe, the Crowns of *France* and *Spain* are ſo divided and ſeparated from each other, that the aforeſaid Renunciations, and the other Tranſactions relating thereto, remaining in force, and being truly and faithfully obſerved,

obſerved, they can never be joined in one: Wherefore the moſt Serene Queen of *Great Britain*, and the moſt Serene the moſt Chriſtian King, engage to each other ſolemnly, and on their Royal Words, That nothing ever ſhall be done by them, or their Heirs and Succeſſors, or allowed to be done by others, whereby the aforeſaid Renunciations, and the other Tranſactions aforementioned, may not have their full effect; but rather on the contrary, their Royal Majeſtys, with joint Counſels and Forces, will always ſincerely take that care, and uſe thoſe endeavours, that the ſaid Foundation of the publick Safety may remain unſhaken, and be preſerved untouched for ever.

Moreover, the moſt Chriſtian King conſents and engages, that he will not, for the Intereſt of his Subjects, hereafter endeavour to obtain, or accept of any other Uſage of Navigation and Trade to *Spain*, and the *Spaniſh-Indies*, than what was practiſed there in the Reign of the late King *Charles* the Second of *Spain*, or than what ſhall likewiſe be fully given and granted at the ſame time to other Nations and People concerned in Trade.

VII. That there be a free Uſe of Navigation and Commerce between the Subjects of both their Royal Majeſtys, as it was formerly in the time of Peace, and before the Declaration of this laſt War, and alſo as it is agreed and concluded by the Treaty of Commerce this Day made between the two Nations.

VIII. That the ordinary Diſtribution of Juſtice be revived and open again thro' the Kingdoms and Dominions of each of their Royal Majeſtys; ſo that it may be free for all the Subjects on both ſides to ſue for and obtain their Rights, Pretenſions and Actions, according to the Laws, Conſtitutions, and Statutes of each Kingdom.

IX. The moſt Chriſtian King ſhall take care that all the Fortifications of the City of *Dunkirk* be razed, that the Harbour be filled up, and that the Sluices or Moles which ſerve to cleanſe the Harbour be leveled, and that at the ſaid King's own Expence, within the ſpace of five Months after the Conditions of Peace are concluded and ſigned; that is to ſay, the Fortifications towards the Sea, within the Space of two Months, and thoſe towards the Land, together with the ſaid Banks, within three Months; on this expreſs Condition alſo, that the ſaid Fortifications, Harbour, Moles or Sluices, be never repaired again. All which

which ſhall not however be begun to be ruined, till after every thing is put into his Chriſtian Majeſty's Hands, which is to be given him inſtead thereof, or as an Equivalent.

X. The ſaid moſt Chriſtian King ſhall reſtore to the Kingdom and Queen of *Great Britain*, to be poſſeſſed in full Right for ever, the Bay and Straits of *Hudſon*, together with all Lands, Seas, Sea-Coaſts, Rivers, and Places ſituate in the ſaid Bay and Straits, and which belong thereunto, no Tracts of Land or of Sea being excepted, which are at preſent poſſeſſed by the Subjects of *France*. All which, as well as any Buildings there made, in the Condition they now are, and likewiſe all Fortreſſes there erected, either before or ſince the *French* ſeized the ſame, ſhall, within ſix Months from the Ratification of the preſent Treaty, or ſooner if poſſible, be well and truly delivered to the *Britiſh* Subjects, having Commiſſion from the Queen of *Great Britain* to demand and receive the ſame, entire and undemoliſhed, together with all the Cannon and Cannon-Ball which are therein, as alſo with a Quantity of Powder, if it be there found, in proportion to the Cannon-Ball, and with the other Proviſion of War uſually belonging to Cannon. It is however provided, that it may be entirely free for the Company of *Quebec*, and all other the Subjects of the moſt Chriſtian King whatſoever, to go by Land, or by Sea, whitherſoever they pleaſe, out of the Lands of the ſaid Bay, together with all their Goods, Merchandizes, Arms and Effects, of what Nature or Condition ſoever, except ſuch things as are above reſerved in this Article. But it is agreed on both ſides, to determine within a Year, by Commiſſarys to be forthwith named by each Party, the Limits which are to be fixed between the ſaid Bay of *Hudſon*, and the Places appertaining to the *French*; which Limits both the *Britiſh* and *French* Subjects ſhall be wholly forbid to paſs over, or thereby to go to each other by Sea or by Land. The ſame Commiſſarys ſhall alſo have Orders to deſcribe and ſettle in like manner the Boundarys between the other *Britiſh* and *French* Colonys in thoſe parts.

XI. The moſt Chriſtian King ſhall take care that Satisfaction be given, according to the Rule of Juſtice and Equity, to the *Engliſh* Company trading to the Bay of *Hudſon*, for all Damages and Spoil done to their Colonys, Ships, Perſons, and Goods, by the hoſtile Incurſions and Depredations of the *French* in time of Peace, an Eſtimate being

being made thereof by Commiſſarys to be named at the Requeſt of each Party. The ſame Commiſſarys ſhall moreover enquire as well into the Complaints of the *Britiſh* Subjects concerning Ships taken by the *French* in time of Peace, as alſo concerning the Damages ſuſtained laſt Year in the Iſland called *Montſerat*, and others, as into thoſe things of which the *French* Subjects complain, relating to the Capitulation in the Iſland of *Nevis*, and Caſtle of *Gambia*, alſo to *French* Ships, if perchance any ſuch have been taken by *Britiſh* Subjects in time of Peace; and in like manner into all Diſputes of this kind, which ſhall be found to have ariſen between both Nations, and which are not yet ended: and due Juſtice ſhall be done on both ſides without delay.

XII. The moſt Chriſtian King ſhall take care to have delivered to the Queen of *Great Britain*, on the ſame Day that the Ratifications of this Treaty ſhall be exchanged, ſolemn and authentick Letters, or Inſtruments, by virtue whereof it ſhall appear that the Iſland of Saint *Chriſtophers* is to be poſſeſſed alone hereafter by *Britiſh* Subjects; likewiſe all *Nova Scotia* or *Accadie*, with its antient Boundarys; as alſo the City of *Port-Royal*, now called *Annapolis Royal*, and all other things in thoſe Parts, which depend on the ſaid Lands and Iſlands; together with the Dominion, Propriety, and Poſſeſſion of the ſaid Iſlands, Lands, and Places: And all Right whatſoever, by Treatys, or by any other way obtained, which the moſt Chriſtian King, the Crown of *France*, or any the Subjects thereof, have hitherto had to the ſaid Iſlands, Lands, and Places, and the Inhabitants of the ſame, are yielded and made over to the Queen of *Great Britain*, and to her Crown for ever, as the moſt Chriſtian King doth at preſent yield and make over all the particulars aboveſaid; and that in ſuch ample manner and form, that the Subjects of the moſt Chriſtian King ſhall hereafter be excluded from all kind of Fiſhing in the ſaid Seas, Bays, and other Places, on the Coaſts of *Nova Scotia*; that is to ſay, on thoſe which lie towards the Eaſt within thirty Leagues, beginning from the Iſland commonly called *Sable* incluſively, and thence ſtretching along towards the South-Weſt.

XIII. The Iſland called *Newfoundland*, with the adjacent Iſlands, ſhall from this time forward belong of Right wholly to *Britain*; and to that end the Town and Fortreſs of *Placentia*, and whatever other Places in the ſaid Iſland are

are in poſſeſſion of the *French*, ſhall be yielded and given up, within ſeven Months from the Exchange of the Ratifications of this Treaty, or ſooner if poſſible, by the moſt Chriſtian King, to thoſe who have a Commiſſion from the Queen of *Great Britain* for that purpoſe. Nor ſhall the moſt Chriſtian King, his Heirs and Succeſſors, or any of their Subjects, at any time hereafter, lay Claim to any Right to the ſaid Iſland and Iſlands, or to any Part of it, or them. Moreover, it ſhall not be lawful for the Subjects of *France* to fortify any Place in the ſaid Iſland of *Newfoundland*, or to erect any Buildings there, beſides Stages made of Boards, and Huts neceſſary and uſual for drying of Fiſh; or to reſort to the ſaid Iſland, beyond the time neceſſary for fiſhing and drying of Fiſh. But it ſhall be allowed to the Subjects of *France* to catch Fiſh, and to dry them on Land, in that Part only, and in no other beſides that, of the ſaid Iſland of *Newfoundland*, which ſtretches from the Place called Cape *Bonaviſta* to the Northern Point of the ſaid Iſland; and from thence running down by the Weſtern-ſide, reaches as far as the Place called *Point Riche*. But the Iſland called *Cape Breton*, as alſo all others, both in the Mouth of the River of St. *Lawrence*, and in the Gulph of the ſame Name, ſhall hereafter belong of Right to the *French*: and the moſt Chriſtian King ſhall have all manner of Liberty to fortify any Place or Places there.

XIV. It is expreſly provided, that in all the ſaid Places and Colonys to be yielded and reſtored by the moſt Chriſtian King, in purſuance of this Treaty, the Subjects of the ſaid King may have Liberty to remove themſelves within a Year to any other Place, as they ſhall think fit, together with all their moveable Effects. But thoſe who are willing to remain there, and to be ſubject to the Kingdom of *Great Britain*, are to enjoy the free exerciſe of their Religion, according to the Uſage of the Church of *Rome*, as far as the Laws of *Great Britain* do allow the ſame.

XV. The Subjects of *France* inhabiting *Canada*, and others, ſhall hereafter give no Hindrance or Moleſtation to the five Nations or Cantons of *Indians*, ſubject to the Dominion of *Great Britain*, nor to the other Natives of *America*, who are Friends to the ſame. In like manner, the Subjects of *Great Britain* ſhall behave themſelves peaceably towards the *Americans*, who are Subjects or Friends to *France*; and on both ſides they ſhall enjoy full

Liberty of going and coming on account of Trade. Alſo the Natives of thoſe Countrys ſhall, with the ſame Liberty, reſort, as they pleaſe, to the *Britiſh* and *French* Colonys, for promoting Trade on one ſide and the other, without any Moleſtation or Hindrance, either on the part of the *Britiſh* Subjects, or of the *French*. But it is to be exactly and diſtinctly ſettled by Commiſſarys, who are, and who ought to be accounted the Subjects and Friends of *Britain* or of *France*.

XVI. That all Letters, as well of Repriſal as of Marque and Counter-Marque, which have hitherto on any account been granted on either ſide, be and remain null, void, and of no effect; and that no Letters of this kind be hereafter granted by either of their ſaid Royal Majeſtys againſt the Subjects of the other, unleſs there ſhall have been plain Proof beforehand of a Denial, or wrongful Delay of Juſtice; and unleſs the Petition of him who deſires the Grant of Letters of Repriſal, be exhibited and ſhewn to the Miniſter who reſides there, in the Name of that Prince, againſt whoſe Subjects thoſe Letters are demanded; ſo that he within the ſpace of four Months, or ſooner, may make enquiry to the contrary, or procure that Satisfaction be forthwith given to the Plaintiff by the Party accuſed. But in caſe no Miniſter be reſiding there from that Prince againſt whoſe Subjects Repriſals are demanded, Letters of Repriſal ſhall not be granted till after the ſpace of four Months, to be computed from the Day whereon the Petition was exhibited and preſented to the Prince, againſt whoſe Subjects Repriſals are deſired, or to his Privy Council.

XVII. Whereas it is expreſly ſtipulated among the Conditions of the Suſpenſion of Arms, made between the abovementioned contracting Partys the $\frac{11}{21}$ Day of *Auguſt* laſt paſt, and afterwards prolonged for four Months more, in what caſes Ships, Merchandizes, and other moveable Effects, taken on either ſide, ſhould either become Prize to the Captor, or be reſtored to the former Proprietor; it is therefore agreed, that in thoſe caſes the Conditions of the aforeſaid Suſpenſion of Arms ſhall remain in full force, and that all things relating to ſuch Captures, made either in the *Britiſh* and *Northern Seas*, or in any other place, ſhall be well and truly executed according to the Tenor of the ſame.

XVIII. But in caſe it happen thro' Inadvertency or Imprudence,

prudence, or any other Cauſe whatſoever, that any Subject of their aforeſaid Royal Majeſtys do, or commit any thing by Land, by Sea, or on freſh Waters, in any part of the World, whereby this preſent Treaty is not obſerved, or whereby any particular Article of the ſame hath not its Effect, this Peace and good Correſpondence between the Queen of *Great Britain* and the moſt Chriſtian King, ſhall not be therefore interrupted or broken, but ſhall remain in its former Strength, Force and Vigour: and that Subject alone ſhall be anſwerable for his own Fact, and ſhall ſuffer the Puniſhment, which is inflicted by the Rules and Directions of the Law of Nations.

XIX. However, in caſe (which God Almighty forbid) the Diſſenſions which have been laid aſleep, ſhould at any time be renewed between their ſaid Royal Majeſtys, or their Succeſſors, and break out into open War, the Ships, Merchandizes, and all the Effects, both moveable and immoveable, on both ſides, which ſhall be found to be and remain in the Ports and Dominions of the adverſe Party, ſhall not be confiſcated, or any wiſe endamaged; but the entire ſpace of ſix Months, to be reckoned from the Day of the Rupture, ſhall be allowed to the ſaid Subjects of each of their Royal Majeſtys, in which they may ſell the aforeſaid things, or any part elſe of their Effects, or carry and remove them from thence whither they pleaſe, without any Moleſtation, and retire from thence themſelves.

XX. Juſt and reaſonable Satisfaction ſhall be given to all and ſingular the Allies of the Queen of *Great Britain*, in thoſe Matters which they have a right to demand from *France*.

XXI. The moſt Chriſtian King will, in conſideration of the Friendſhip of the Queen of *Great Britain*, grant, that in making the Treaty with the Empire, all things concerning the State of Religion in the aforeſaid Empire, ſhall be ſettled conformable to the Tenor of the Treatys of *Weſtphalia*; ſo that it ſhall plainly appear, that the moſt Chriſtian King neither will have, nor would have had any Alteration made in the ſaid Treatys.

XXII. Moreover, the moſt Chriſtian King engages, that he will forthwith after the Peace is made, cauſe Juſtice to be done to the Family of *Hamilton*, concerning the Dukedom of *Chaſtel-herault*; to the Duke of *Richmond*, concerning ſuch Requeſts as he has to make in *France*;

as alſo to *Charles Douglas*, concerning certain Lands to be reclaimed by him; and to others.

XXIII. By the mutual Conſent of the Queen of *Great Britain*, and of the moſt Chriſtian King, the Subjects of each Party, who were taken Priſoners during the War, ſhall be ſet at liberty, without any Diſtinction or Ranſom, paying ſuch Debts as they ſhall have contracted in the time of their being Priſoners.

XXIV. It is mutually agreed, that all and ſingular the Conditions of the Peace made this Day between his Sacred Royal moſt Chriſtian Majeſty, and his Sacred Royal Majeſty of *Portugal*, be confirmed by this Treaty; and her Sacred Royal Majeſty of *Great Britain* takes upon herſelf the Guaranty of the ſame, to the end that it may be more firmly and inviolably obſerved.

XXV. The Treaty of Peace made this Day between his Sacred Royal moſt Chriſtian Majeſty, and his Royal Highneſs the Duke of *Savoy*, is particularly included in this Treaty, as an eſſential part of it, and is confirmed by it, in the ſame manner as if it were word for word inſerted therein; her Royal Majeſty of *Great Britain* declaring expreſly that ſhe will be bound by the Stipulations of Security and Guaranty promiſed therein, as well as by thoſe which ſhe has formerly taken upon herſelf.

XXVI. The moſt Serene King of *Sweden* with his Kingdoms, Dominions, Provinces, and Rights, as alſo the Great Duke of *Tuſcany*, the Republick of *Genoa*, and the Duke of *Parma*, are in the beſt manner included in this Treaty.

XXVII. Their Majeſtys have alſo been pleaſed to comprehend in this Treaty the Hans Towns, namely *Lubeck*, *Bremen*, *Hamburgh*, and the City of *Dantzick*, ſo that aſſoon as the general Peace ſhall be concluded, the Hans-Towns and the City of *Dantzick*, may for the future, as common Friends, enjoy the antient Advantages which they have heretofore had in the Buſineſs of Trade, either by Treatys, or by old Cuſtom.

XXVIII. Thoſe ſhall be comprehended in this preſent Treaty of Peace, who ſhall be named by common conſent, on the one part and on the other, before the Exchange of the Ratifications, or within ſix Months after.

XXIX. Laſtly, Solemn Ratifications of this preſent Treaty, and made in due Form, ſhall be exhibited on both ſides at *Utrecht*, and mutually and duly exchanged within

within the ſpace of four Weeks, to be computed from the Day of the ſigning, or ſooner if poſſible.

In Witneſs whereof, we the under-written Ambaſſadors Extraordinary and Plenipotentiarys of the Queen of *Great Britain*, and of the moſt Chriſtian King, have put our Seals to theſe preſent Inſtruments, ſubſcribed with our own Hands, at *Utrecht*, the $\frac{11}{11}$th Day of $\frac{March}{April}$, in the Year 1713.

(L. S.) *Joh. Briſtol*, C. P. S. (L. S.) *Huxelles.*
(L. S.) *Strafford.* (L. S.) *Meſnager.*

ANNE R.

ANNE, by the Grace of God, Queen of *Great Britain*, *France*, and *Ireland*, Defender of the Faith, *&c.* To all and ſingular to whom theſe Preſents ſhall come, Greeting. Whereas the Congreſs that was held at *Utrecht* in the beginning of the laſt Year, for making a general Peace, has been drawn out into length above theſe fourteen Months by various Obſtacles, which have been thrown in the way, contrary to our Hopes and Wiſhes; but now, by the favour and goodneſs of Almighty God (who has been pleaſed to inſpire the Love of Concord more ſtrongly into the Breaſts of the Partys engaged in War) it ſeems happily to tend towards the End ſo long deſired, and ſo neceſſary for the Tranquillity and Welfare of *Europe*: We having at laſt adjuſted with our good Brother the moſt Chriſtian King the Matters on both ſides, relating both to Peace and to Commerce, to the end that our Miniſters who have hitherto under the Title of Plenipotentiarys applied themſelves, with our higheſt Approbation, to the diſcharge of this Employment, may, with greater Splendor, put an End to this moſt wholeſom Work, have thought fit to give them the moſt honourable Character of our Ambaſſadors Extraordinary. Now know ye, That we repoſing eſpecial Confidence in the Loyalty, Induſtry, Experience, and Sagacity in managing Matters of great Importance, of the Right Reverend Father in God our right truſty and well-beloved Counſellor, *John* Lord Biſhop of *Briſtol*, Keeper of our Privy-Seal, Dean of *Windſor*, and Regiſter of our moſt Noble Order of the Garter; and of our right truſty, and right well-beloved Couſin and Counſellor, *Thomas*

Earl of *Strafford*, Viſcount *Wentworth* of *Wentworth-Woodhouſe* and *Stainborough*, Baron of *Raby*, Lieutenant-General of our Forces, firſt Commiſſioner of our Admiralty, Knight of our moſt Noble Order of the Garter, and our Ambaſſador Extraordinary and Plenipotentiary to the High and Mighty Lords the States General of the *United Netherlands*; have named, made and conſtituted them, as by theſe Preſents we do name, make, and conſtitute them, our true, certain and undoubted Ambaſſadors Extraordinary, Commiſſarys, Procurators, and Plenipotentiarys; giving and granting to them, jointly and ſeparately, all and all manner of Power, Faculty, and Authority, as alſo both general and ſpecial Order (but ſo as the general do not derogate from the ſpecial, nor on the contrary) to meet and confer in the City of *Utrecht*, or in any other place, with the Ambaſſadors Extraordinary and Plenipotentiarys which the ſaid moſt Chriſtian King ſhall have deputed on his part, being furniſhed with ſufficient Authority, and to treat, agree, and conclude concerning ſafe, laſting, and honourable Conditions of Peace and Friendſhip between us and the ſaid moſt Chriſtain King; and to ſign for us, and in our Name, all ſuch things as ſhall be ſo agreed and concluded; and to make out ſuch and ſo many Inſtruments of what is concluded, as ſhall be neceſſary, and to exchange and mutually receive the ſame; and generally to do and perform all ſuch things as they ſhall judge neceſſary, or any way conducible towards making and ſettling the Conditions of Peace and Friendſhip, as is aboveſaid, in as ample manner and form, and with the like force and effect, as we ourſelves might do and perform, if we were preſent; engaging and promiſing on our royal Word, that we will accept, approve, and ratify, in the ſame manner and form as they have been agreed, all and every thing which by virtue of theſe Preſents ſhall happen to be tranſacted, concluded and ſigned by our ſaid Ambaſſadors Extraordinary, Commiſſarys, Procurators, and Plenipotentiarys, jointly or ſeparately. In Witneſs and Confirmation whereof, we have commanded our Great Seal of *Great Britain* to be affixed to theſe Preſents, ſigned with our Royal Hand. Given at our Palace of St. *James's*, the 24th Day of the Month of *March*, in the Year of our Lord 1712-13, and of our Reign the twelfth.

LEWIS,

LEWIS, by the Grace of God, King of *France* and *Navarre*, to all who ſhall ſee theſe Preſents, greeting. Whereas we have omitted nothing for contributing with all our Might towards the Re-eſtabliſhment of a ſincere and ſolid Peace; and as our moſt dear and moſt beloved Siſter the Queen of *Great Britain* has ſhewn the ſame Deſire, and as there is room to hope, that the Conferences which are held at *Utrecht* for attaining to ſo deſirable a Good, will in a little time have a happy Iſſue; and being willing likewiſe to apply all our Care for promoting the Effect thereof, and repoſing entire Confidence in the Capacity, Experience, Zeal, and Fidelity for our Service, of our moſt dear and well-beloved Couſin the Marquiſs *d' Huxelles*, Marſhal of *France*, Knight of our Orders, and our Lieutenant-General of the Government of *Burgundy*, and of our dear and well-beloved the Sieur *Meſnager*, Knight of our Order of St. *Michael*: For theſe Cauſes, and other good Conſiderations us hereunto moving, we have commiſſioned, ordained and deputed, as by theſe Preſents ſigned with our Hand, we do commiſſion, ordain, and depute the ſaid Sieurs, Marſhal *d' Huxelles*, and *Meſnager*, and have given, and do give to them full Power, Commiſſion, and ſpecial Command, in quality of our Ambaſſadors Extraordinary, and our Plenipotentiarys, to confer, negotiate, and treat with the Ambaſſadors Extraordinary, Plenipotentiarys of our ſaid Siſter, provided with her Powers in due form, to agree, conclude, and ſign ſuch Treatys of Peace, Articles and Conventions, as they ſhall ſee good. We will that in caſe of abſence of one of them by Sickneſs, or thro' any other lawful Cauſe, the other have the ſame Power to confer, negotiate, treat, agree, conclude and ſign ſuch Treatys of Peace, Articles, and Conventions, as ſhall be agreeable to the Good of the Peace which we propoſe to ourſelves, and to the reciprocal Advantage of our Subjects; ſo that our ſaid Ambaſſadors Extraordinary and Plenipotentiarys may act in all which ſhall belong to the Negotiation with our ſaid Siſter, with the ſame Authority as we ſhould and might do, if we were preſent in Perſon, altho there ſhould be ſomething which might require a more ſpecial Order than is contained in theſe Preſents. We promiſe on the Faith and Word of a King to approve, and to keep firm and laſting for ever, to fulfil and execute punctually, all that the ſaid Sieurs, Marſhal *d' Huxelles* and *Meſnager*, or

one of them, in the ſaid Caſes of Abſence, or of Sickneſs, ſhall ſtipulate, promiſe, and ſign, by virtue of this preſent Power, without ever acting contrary thereto, or permitting that any thing be done to the contrary, on any Cauſe, or under any Pretence whatſoever; as likewiſe to cauſe our Letters ratifying the ſame to be diſpatched in good form, and to cauſe them to be delivered in order to be exchanged within the time which ſhall be agreed on by the Treatys to be made. For this is our Pleaſure. In Witneſs whereof, we have cauſed our Seal to be affixed to theſe Preſents. Given at *Verſailles*, the fourth Day of *March*, in the Year of our Lord one thouſand ſeven hundred and thirteen, and of our Reign the Seventieth. Signed *LEWIS*, and on the fold, By the King. *Colbert*.

Treaty of Navigation and Commerce between the moſt Serene and moſt Potent Princeſs Anne, *by the Grace of God, Queen of* Great Britain, France *and* Ireland, *and the moſt Serene and moſt Potent Prince,* Lewis XIV. *the moſt Chriſtian King, Concluded at* Utrecht, *the* $\frac{31}{11}$ *Day of* $\frac{\text{March}}{\text{April}}$, 1713.

WHEREAS the moſt Serene and moſt Potent Princeſs and Lady, *Anne*, by the Grace of God Queen of *Great Britain*, *France* and *Ireland*, and the moſt Serene and moſt Potent Prince and Lord, *Lewis* XIV. by the Grace of God the moſt Chriſtian King, ſince they apply'd their Minds, by the diſpoſal of the Almighty, to the ſtudy of Peace, have both been moved with an earneſt Deſire to increaſe the Advantages of their Subjects, which are to ariſe therefrom, by a reciprocal Liberty of Navigation and Commerce, which ought to be as well the principal Fruit, as Eſtabliſhment of Peace: And to that end they have moſt graciouſly given Inſtructions to their Ambaſſadors Extraordinary and Plenipotentiarys

nipotentiarys going to the Congreſs at *Utrecht*, that they ſhould employ their utmoſt Diligence and Care both to re-eſtabliſh Peace and to renew the former Treatys of Commerce between the two Nations, and to adapt them to the preſent State of Affairs: that is to ſay, her Sacred Royal Majeſty of *Great Britain*, to the Right Reverend *John*, by Divine Permiſſion, Biſhop of *Briſtol*, Keeper of the Privy-Seal of *England*, one of her Majeſty's Privy-Council, Dean of *Windſor*, and Regiſter of the moſt noble Order of the Garter; as alſo to the moſt Noble, Illuſtrious, and Excellent Lord, *Thomas* Earl of *Strafford*, Viſcount *Wentworth* of *Wentworth-Woodhouſe* and *Stainborough*, Baron of *Raby*, one of her Majeſty's Privy Council, her Ambaſſador Extraordinary and Plenipotentiary to the High and Mighty Lords the States General of the *United Netherlands*, Colonel of her Majeſty's Regiment of Dragoons, Lieutenant-General of her Majeſty's Forces, firſt Lord Commiſſioner of the Admiralty of *Great Britain* and *Ireland*, and Knight of the moſt Noble Order of the Garter: And his Sacred Royal moſt Chriſtian Majeſty, to the moſt Noble Illuſtrious and Excellent Lords, *Nicolas* Marquiſs of *Huxelles*, Marſhal of *France*, Knight of the King's Orders, and Lieutenant General of the Dukedom of *Burgundy*; and *Nicolas Meſnager*, Knight of the King's Order of St. *Michael*. Whereupon the ſaid Ambaſſadors, to the end that the Deſign of their Royal Majeſtys, which is ſo pious and wholeſom, might attain the deſired Effect, having had ſeveral Conferences upon that Affair, and having adjuſted the principal Matters on both ſides, as far as they could in ſo ſhort a time, after having communicated to each other, and duly exchanged the full Powers wherewith they were provided for this purpoſe, Copys whereof are inſerted Word for Word at the end of this Inſtrument, have agreed upon Articles of Navigation and Commerce, in Manner and Form as follows.

I. It is agreed and concluded between the moſt Serene and moſt Potent Queen of *Great Britain*, and the moſt Serene and moſt Potent the moſt Chriſtian King, That there ſhall be a reciprocal, and entirely perfect Liberty of Navigation and Commerce between the Subjects on each part, thro' all and every the Kingdoms, States, Dominions, and Provinces of their Royal Majeſtys in *Europe*, concerning all and ſingular kinds of Goods;

Goods; in thoſe Places, and on thoſe Conditions, and in ſuch Manner and Form, as is ſettled and adjuſted in the following Articles.

II. But that the Commerce and Friendſhip between the Subjects of the aboveſaid Partys may be hereafter ſecure, and free from all Trouble and Moleſtation, it is agreed and concluded, That if at any time any ill Underſtanding, and Breach of Friendſhip, or Rupture ſhould happen between the Crowns of their Royal Majeſtys, (which God forbid) in ſuch caſe the Term of ſix Months ſhall be allowed, after the ſaid Rupture, to the Subjects and Inhabitants on each part, reſiding in the Dominions of the other, in which they themſelves may retire, together with their Familys, Goods, Merchandizes, and Effects, and carry them whitherſoever they ſhall pleaſe: As likewiſe at the ſame time the ſelling and diſpoſing of their Goods, both moveable and immoveable, ſhall be allowed them freely and without any Diſturbance; and in the mean time their Goods, Effects, Wares and Merchandizes, and particularly their Perſons, ſhall not be detained or troubled by Arreſt or Seizure: But rather in the mean while, the Subjects on each ſide ſhall have and enjoy good and ſpeedy Juſtice, ſo that, during the ſaid ſpace of ſix Months, they may be able to recover their Goods and Effects entruſted as well to the publick, as to private Perſons.

III. It is likewiſe agreed and concluded, That the Subjects and Inhabitants of the Kingdoms, Provinces, and Dominions of each of their Royal Majeſtys, ſhall exerciſe no Acts of Hoſtility and Violence againſt each other, either by Sea or Land, or in Rivers, Streams, Ports or Havens, under any Colour or Pretence whatſoever; ſo that the Subjects of either Party ſhall receive no Patent, Commiſſion, or Inſtruction, for arming and acting at Sea as Privateers, nor Letters of Repriſal, as they are called, from any Princes or States, which are Enemys to one ſide or the other; nor by virtue, or under colour of ſuch Patents, Commiſſions or Repriſals, ſhall they diſturb, infeſt, or any way prejudice or damage the aforeſaid Subjects and Inhabitants of the Queen of *Great Britain*, or of the moſt Chriſtian King; neither ſhall they arm Ships in ſuch manner as is aboveſaid, or go out to Sea therewith. To which end, as often as it is required by either ſide, ſtrict and expreſs Prohibition ſhall be renewed and publiſhed in all the Regions, Dominions, and Territorys of each Party whereſoever, That no one ſhall in any wiſe uſe ſuch Commiſſions

miſſions or Letters of Repriſal, under the ſevereſt Puniſhment that can be inflicted on the Tranſgreſſors, beſides Reſtitution and full Satisfaction to be given to thoſe to whom they have done any Damage: neither ſhall any Letters of Repriſal be hereafter granted on either ſide by the ſaid Confederates, to the Detriment or Diſadvantage of the Subjects of the other, except in ſuch caſe only as Juſtice is denied or delayed; to which Denial or Delay, Credit ſhall not be given, unleſs the Petition of the Perſon who deſires the ſaid Letters of Repriſal, be communicated to the Miniſter reſiding there on the Part of the Prince againſt whoſe Subjects they are to be granted, that within the ſpace of four Months, or ſooner if poſſible, he may evince the contrary, or procure the Performance of what is due to Juſtice.

IV. The Subjects and Inhabitants of each of the aforeſaid Confederates ſhall have Liberty, freely and ſecurely, without Licence or Paſſport general or ſpecial, by Land or by Sea, or any other way, to go into the Kingdoms, Countrys, Provinces, Lands, Iſlands, Citys, Villages, Towns, walled or unwalled, fortified or unfortified, Ports, Dominions, or Territorys whatſoever of the other Confederate in *Europe*, there to enter, and to return from thence, to abide there, or to paſs thro' the ſame; and in the mean time to buy and purchaſe as they pleaſe, all things neceſſary for their Subſiſtence and Uſe; and they ſhall be treated with all mutual Kindneſs and Favour. Provided however, that in all theſe matters they behave and comport themſelves conformably to the Laws and Statutes, and live and converſe with each other friendly and peaceably; and keep up reciprocal Concord by all manner of good Underſtanding.

V. The Subjects of each of their Royal Majeſtys may have Leave and Licence to come with their Ships, as alſo with the Merchandizes and Goods on board the ſame, (the Trade and Importation whereof are not prohibited by the Laws of either Kingdom) to the Lands, Countrys, Citys, Ports, Places, and Rivers of either ſide in *Europe*, to enter into the ſame, to reſort thereto, to remain and reſide there, without any Limitation of time; alſo to hire Houſes, or to lodge with other People, and to buy all lawful Kinds of Merchandizes, where they think fit, from the firſt Workman or Seller, or in any other manner, whether in the publick Market for the Sale of Things,

Things, in Mart-Towns, Fairs, or whereſoever thoſe Goods are manufactured or ſold. They may likewiſe lay up and keep in their Magazines and Ware-houſes, and from thence expoſe to ſale, Merchandizes brought from other Parts; neither ſhall they be in any wiſe obliged, unleſs willingly and of their own accord, to bring their ſaid Merchandizes to the Marts and Fairs; on this Condition however, that they ſhall not ſell the ſame by Retail in Shops or any where elſe. But they are not to be loaded with any Impoſitions or Taxes on account of the ſaid Freedom of Trade, or for any other Cauſe whatſoever, except what are to be paid for their Ships and Goods according to the Laws and Cuſtoms received in each Kingdom. And moreover, they ſhall have free Leave without Moleſtation, to remove themſelves; and if they happen to be married, their Wives, Children, and Servants, together with their Merchandizes, Wares, Goods and Effects, either bought or imported, whenſoever and whitherſoever they ſhall think fit, out of the Bounds of each Kingdom, by Land and by Sea, on the Rivers and freſh Waters, diſcharging the uſual Dutys, notwithſtanding any Law, Privilege, Grant, Immunity or Cuſtom, in any wiſe importing the contrary. But in the Buſineſs of Religion, there ſhall be an entire Liberty allowed to the Subjects of each of the Confederates, as alſo, if they are married, to their Wives and Children; neither ſhall they be compelled to go to the Churches, or to be preſent at the religious Worſhip in any other Place. On the contrary, they may without any Moleſtation perform their religious Exerciſes after their own way, altho it be forbid by the Laws of the Kingdom, privately and within their own Walls, and without the Admittance of any other Perſons whatſoever. Moreover, Liberty ſhall not be refuſed to bury the Subjects of either Party, who die in the Territorys of the other, in convenient and decent Places, to be appointed for that purpoſe, as occaſion ſhall require; and the dead Bodys of thoſe who are buried ſhall be no ways moleſted. The Laws and Statutes of each Kingdom ſhall remain in full force, and ſhall duly be put in execution, whether they relate to Commerce and Navigation, or to any other Right; thoſe Caſes only being excepted, concerning which it is otherwiſe determin'd in the Articles of this preſent Treaty.

VI. The

VI. The Subjects of each Party ſhall pay the Tolls, Cuſtoms, and Dutys of Import and Export, thro' all the Dominions and Provinces of either Party, as are due and accuſtomed. And that it may be certainly known what are all the ſaid Tolls, Cuſtoms, and Dutys of Import and Export, it is likewiſe agreed, that Tables ſhewing the Cuſtoms, Port-Dutys, and Impoſts, ſhall be kept in publick Places, both at *London*, and in other Towns within the Dominions of the Queen of *Great Britain*, and at *Roan*, and other Towns of *France*, where Trading is uſed, whereto recourſe may be had, as often as any Queſtion or Diſpute ariſes concerning ſuch Port-Dutys, Cuſtoms and Impoſts; which are to be demanded in ſuch manner and no otherwiſe, as ſhall be agreeable to the plain Words and genuine Senſe of the aboveſaid Tables. And if any Officer, or other Perſon in his Name, ſhall, under any pretence, publickly or privately, directly or indirectly, ask or take of a Merchant, or of any other Perſon, any Sum of Money, or any thing elſe on account of Right, Dues, Stipend, Exhibition, or Compenſation, altho it be under the Name of a free Gift, or in any other manner, or under any other pretence, more or otherwiſe than what is preſcribed above; in ſuch caſe the ſaid Officer, or his Deputy, if he be found guilty, and convicted of the ſame before a competent Judge, in the Country where the Crime was committed, ſhall give full Satisfaction to the Party that is wronged, and ſhall likewiſe be puniſhed according to the Direction of the Laws.

VII. Merchants, Maſters of Ships, Owners, Mariners, Men of all kinds, Ships, and all Merchandizes in general, and Effects of one of the Confederates, and of his Subjects and Inhabitants, ſhall on no publick or private Account, by virtue of any general or ſpecial Edict, be ſeized in any the Lands, Ports, Havens, Shores, or Dominions whatſoever of the other Confederate for the publick Uſe, for warlike Expeditions, or for any other Cauſe, much leſs for the private Uſe of any one; nor ſhall they be detained by Arreſts, compelled by Violence, or under any Colour thereof, or in any wiſe moleſted or injured. Moreover, it ſhall be unlawful for the Subjects of both Partys, to take any thing, or to extort it by Force, except the Perſon to whom it belongs conſent, and it be paid for with ready Money. Which however is not to be underſtood of that Detention and Seizure,

which ſhall be made by the Command and Authority of Juſtice, and by the ordinary Methods, on account of Debt, or Crimes; in reſpect whereof the Proceeding muſt be by way of Law, according to the Form of Juſtice.

VIII. Furthermore, it is agreed and concluded as a general Rule, that all and ſingular the Subjects of the moſt Serene Queen of *Great Britain*, and of the moſt Serene the moſt Chriſtian King, in all Countrys and Places ſubject to their Power on each ſide, as to all Dutys, Impoſitions, or Cuſtoms whatſoever, concerning Perſons, Goods and Merchandizes, Ships, Freights, Seamen, Navigation and Commerce, ſhall uſe and enjoy the ſame Privileges, Libertys and Immunitys at leaſt, and have the like favour in all things, as well in the Courts of Juſtice, as in all ſuch things as relate either to Commerce, or to any other Right whatever, which any foreign Nation, the moſt favoured, has, uſes and enjoys, or may hereafter have, uſe and enjoy.

IX. It is farther agreed, That within the Space of two Months after a Law ſhall be made in *Great Britain*, whereby it ſhall be ſufficiently provided that no more Cuſtoms or Dutys be paid for Goods and Merchandizes brought from *France* to *Great Britain*, than what are payable for Goods and Merchandizes of the like nature, imported into *Great Britain* from any other Country in *Europe*; and that all Laws made in *Great Britain* ſince the Year 1664, for prohibiting the Importation of any Goods and Merchandizes coming from *France*, which were not prohibited before that time, be repealed; the general Tariff made in *France* the 18th Day of *September* in the Year 1664, ſhall take place again, and the Dutys payable in *France* by the Subjects of *Great Britain*, for Goods imported and exported, ſhall be paid according to the Tenour of the Tariff abovementioned, and ſhall not exceed the Rule therein ſettled, in the Provinces whereof mention is there made; and in the other Provinces the Duty ſhall not be payable, otherwiſe than according to the Rule at that time preſcribed. And all Prohibitions, Tariffs, Edicts, Declarations or Decrees made in *France* ſince the ſaid Tariff of the Year 1664, and contrary thereunto, in reſpect to the Goods and Merchandizes of *Great Britain*, ſhall be repealed. But whereas it is urged on the part of *France*, that certain Merchandizes, that is to ſay Manufactures of Wool, Sugar, ſalted Fiſh, and the Product of Whales, be excepted out of the Rule of the abovementioned

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tioned Tariff, and likewiſe other Heads of Matters belonging to this Treaty remain, which having been propoſed on the Part of *Great Britain*, have not yet been mutually adjuſted, a Specification of all which is contained in a ſeparate Inſtrument, ſubſcribed by the Ambaſſadors Extraordinary and Plenipotentiarys on both ſides; it is hereby provided and agreed, that within two Months from the Exchange of the Ratifications of this Treaty, Commiſſarys on both ſides ſhall meet at *London*, to conſider of, and remove the Difficultys concerning the Merchandizes to be excepted out of the Tariff of the Year 1664, and concerning the other Heads, which, as is aboveſaid, are not yet wholly adjuſted. And at the ſame time the ſaid Commiſſarys ſhall likewiſe endeavour (which ſeems to be very much for the Intereſt of both Nations) to have the Methods of Commerce on one part, and of the other, more thorowly examined, and to find out and eſtabliſh juſt and beneficial Means on both ſides for removing the Difficultys in this Matter, and for regulating the Dutys mutually. But it is always underſtood and provided, that all and ſingular the Articles of this Treaty do in the mean while remain in their full Force, and eſpecially that nothing be deemed, under any pretence whatſoever, to hinder the Benefit of the general Tariff of the Year 1664, from being granted to the Subjects of her Royal Majeſty of *Great Britain*, and the ſaid *Britiſh* Subjects from having and enjoying the ſame, without any Delay or Tergiverſation, within the Space of two Months after a Law is made in *Great Britain*, as aboveſaid; in as ample Manner and Form as the Subjects of any Nation, the moſt favoured, might have and enjoy the Benefit of the aforeſaid Tariff; any thing to be done, or diſcuſſed by the ſaid Commiſſarys to the contrary in any wiſe notwithſtanding.

X. The Dutys on Tobacco imported into *France*, either in the Leaf, or prepared, ſhall be reduced hereafter to the ſame moderate Rate, as the ſaid Tobacco, of the Growth of any Country in *Europe* or *America*, being brought into *France*, does or ſhall pay. The Subjects on both ſides ſhall alſo pay the ſame Dutys in *France* for the ſaid Tobacco; there ſhall be likewiſe an equal Liberty of ſelling it; and the *Britiſh* Subjects ſhall have the ſame Laws as the Merchants of *France* themſelves have and enjoy.

XI. It is likewiſe concluded, that the Impoſition or Tax of Fifty *Sols Tournois* laid on *Britiſh* Ships in *France* for every Tun, ſhall wholly ceaſe, and be from henceforward annulled. In like manner, the Tax of 5 *s.* Sterling, laid on *French* Ships in *Great Britain* for every Tun ſhall ceaſe; neither ſhall the ſame, or any the like Impoſitions, be laid hereafter on the Ships of the Subjects on either ſide.

XII. It is further agreed and concluded, That it ſhall be wholly free for all Merchants, Commanders of Ships, and other the Subjects of the Queen of *Great Britain*, in all Places of *France*, to manage their own Buſineſs themſelves, or to commit them to the management of whomſoever they pleaſe; nor ſhall they be obliged to make uſe of any Interpreter, or Broker, nor to pay them any Salary, unleſs they chuſe to make uſe of them. Moreover, Maſters of Ships ſhall not be obliged, in loading or unloading their Ships, to make uſe of thoſe Workmen, either at *Bourdeaux*, or in any other Places, as may be appointed by publick Authority for that purpoſe; but it ſhall be intirely free for them to load or unload their Ships by themſelves, or to make uſe of ſuch Perſons in loading or unloading the ſame as they ſhall think fit, without the payment of any Salary to any other whomſoever: neither ſhall they be forced to unload any ſort of Merchandizes either into other Ships, or to receive them into their own, or to wait for their being loaded longer than they pleaſe. And all and every the Subjects of the moſt Chriſtian King ſhall reciprocally have and enjoy the ſame Privileges and Liberty in all Places in *Europe* ſubject to the Dominion of *Great Britain*.

XIII. It ſhall be wholly lawful and free for Merchants and others, being Subjects either to the Queen of *Great Britain*, or to the moſt Chriſtian King, by Will, or any other Diſpoſition made, either during the time of Sickneſs, or at any other time before or at the point of Death, to deviſe or give away their Merchandizes, Effects, Money, Debts belonging to them, and all moveable Goods, which they have or ought to have at the time of their Death, within the Dominions and any other Places belonging to the Queen of *Great Britain*, and to the moſt Chriſtian King. Moreover, whether they die having made their Will, or Inteſtate, their lawful Heirs, and Executors, or Adminiſtrators, reſiding in either of the Kingdoms, or com-

coming from any other Part, altho they be not naturalized, ſhall freely and quietly receive and take poſſeſſion of all the ſaid Goods and Effects whatſoever, according to the Laws of *Great Britain* and *France* reſpectively; in ſuch manner however, that the Wills, and Right of entring upon the Inheritances of Perſons inteſtate, muſt be proved according to Law, as well by the Subjects of the Queen of *Great Britain*, as by the Subjects of the moſt Chriſtian King, in thoſe Places where each Perſon died, whether that may happen in *Great Britain* or in *France*, any Law, Statute, Edict, Cuſtom, or *Droit d' Aubeine* whatever, to the contrary notwithſtanding.

XIV. A Diſpute ariſing between any Commander of the Ships on either ſide and his Seamen, in any Port of the other Party, concerning Wages due to the ſaid Seamen, or other civil Cauſes, the Magiſtrate of the Place ſhall require no more from the Perſon accuſed, than that he give to the Accuſer a Declaration in Writing, witneſſed by the Magiſtrate, whereby he ſhall be bound to anſwer that Matter before a competent Judge in his own Country; which being done, it ſhall not be lawful either for the Seamen to deſert their Ship, or to hinder the Commander from proſecuting his Voyage. It ſhall moreover be lawful for the Merchants on both ſides, in the Places of their Abode, or elſewhere, to keep Books of their Accounts, and Affairs, as they ſhall think fit, and to have an Intercourſe of Letters, in ſuch Language or Idiom, as they ſhall pleaſe, without any Moleſtation or Search whatſoever. But if it ſhould happen to be neceſſary for them to produce their Books of Accounts for deciding any Diſpute and Controverſy, in ſuch caſe they ſhall be obliged to bring into Court the entire Books or Writings, but ſo as that the Judge may not have liberty to inſpect any other Articles in the ſaid Books than ſuch as ſhall relate to the Teſtimony, or Authority in queſtion, or ſuch as ſhall be neceſſary to give Credit to the ſaid Books; neither ſhall it be lawful, under any Pretence, to take the ſaid Books or Writings forcibly out of the Hands of the Owners, or to retain them, the caſe of Bankruptcy only excepted: neither ſhall the ſaid Subjects of the Queen of *Great Britain* be obliged to write their Accounts, Copys of Letters, Acts or Inſtruments relating to Trade, on ſtamped Paper, in *French*, *Papier timbré*, except their Day-Book, which, that it may be produced

as Evidence in any Law-Suit, ought according to the Laws, which all Persons trading in *France* are to observe, to be subscribed *gratis* by the Judge, and signed with his own Hand.

XV. It shall not be lawful for any foreign Privateers, (not being Subjects of one or of the other of the Confederates) who have Commissions from any other Prince or State in Enmity with either Nation, to fit their Ships in the Ports of one or the other of the aforesaid Partys, to sell what they have taken, or in any other manner whatever to exchange either Ships, Merchandizes, or any other Ladings; neither shall they be allowed even to purchase Victuals, except such as shall be necessary for their going to the next Port of that Prince from whom they have Commissions.

XVI. The Ships of both Partys being laden, sailing along the Coasts or Shores of the other, and being forced by Storm into the Havens or Ports, or coming to land in any other manner, shall not be obliged there to unlade their Goods, or any Part thereof, or to pay any Duty, unless they do of their own accord unlade their Goods there, or dispose of any Part of their Lading: But it may be lawful to take out of the Ship, and to sell (Leave being first obtained from those who have the Inspection of Sea-Affairs) a small Part of their Lading, for this end only, that Necessarys, either for the Refreshment or Victualling of the Ship, may be purchased; and in that case the whole Lading of the Ship shall not be subject to pay the Dutys, but that small part only, which has been taken out and sold.

XVII. It shall be lawful for all and singular the Subjects of the Queen of *Great Britain*, and of the most Christian King, to sail with their Ships, with all manner of Liberty and Security, no Distinction being made who are the Proprietors of the Merchandizes laden thereon, from any Port to the Places of those who are now, or shall be hereafter at Enmity with the Queen of *Great Britain*, or the most Christian King. It shall likewise be lawful for the Subjects and Inhabitants aforesaid, to sail with the Ships and Merchandizes aforementioned, and to trade with the same Liberty and Security from the Places, Ports, and Havens of those who are Enemys of both, or of either Party, without any Opposition or Disturbance whatsoever, not only directly from the Places of the Enemy

Enemy aforementioned to neutral Places, but alſo from one Place belonging to an Enemy, to another Place belonging to an Enemy, whether they be under the Juriſdiction of the ſame Prince, or under ſeveral. And as it is now ſtipulated concerning Ships and Goods, that free Ships ſhall alſo give a freedom to Goods, and that every thing ſhall be deemed to be free and exempt which ſhall be found on board the Ships belonging to the Subjects of either of the Confederates, altho the whole Lading, or any Part thereof, ſhould appertain to the Enemys of either of their Majeſtys, contraband Goods being always excepted, on the Diſcovery whereof Matters ſhall be managed according to the Senſe of the ſubſequent Articles; it is alſo agreed in like manner, that the ſame Liberty be extended to Perſons who are on board a free Ship, with this condition, That altho they be Enemys to both, or to either Party, they are not to be taken out of that free Ship, unleſs they are Soldiers, and in actual Service of the Enemys.

XVIII. This Liberty of Navigation and Commerce ſhall extend to all kind of Merchandizes, excepting thoſe only which follow in the next Article, and which are ſignified by the name of Contraband.

XIX. Under this name of Contraband or prohibited Goods, ſhall be comprehended Arms, great Guns, Bombs, with their Fuſees, and other things belonging to them, Fire-balls, Gun-powder, Match, Cannon-ball, Pikes, Swords, Lances, Spears, Halberds, Mortars, Petards, Grenadoes, Saltpetre, Muskets, Musket-ball, Helmets, Head-pieces, Breaſt-plates, Coats of Mail, and the like kinds of Arms, proper for arming Soldiers, Musket-reſts, Belts, Horſes with their Furniture, and all other warlike Inſtruments whatever.

XX. Theſe Merchandizes which follow, ſhall not be reckoned among prohibited Goods, that is to ſay, all ſorts of Cloths, and all other Manufactures woven o fany Wool, Flax, Silk, Cotton, or any other Materials whatever; all kinds of Clothes and wearing Apparel, together with the Species whereof they are uſed to be made; Gold and Silver, as well coined as uncoined; Tin, Iron, Lead, Copper, Braſs, Coals; as alſo Wheat and Barley, with any other kind of Corn and Pulſe; Tobacco, and likewiſe all manner of Spices, ſalted and ſmoaked Fleſh, ſalted Fiſh, Cheeſe and Butter, Beer, Oils, Wines, Sugars, and all ſorts of Salt, and in general all Proviſions

which ſerve for the Nouriſhment of Mankind, and the Suſtenance of Life: Furthermore, all kinds of Cotton, Hemp, Flax, Tar, Pitch, Ropes, Cables, Sails, Sail-Cloths, Anchors, and any Parts of Anchors; alſo Ship-Maſts, Planks, Boards and Beams, of what Trees ſoever; and all other things proper either for building or repairing Ships; and all other Goods whatever, which have not been worked into the Form of any Inſtrument, or thing prepared for War, by Land or by Sea, ſhall not be reputed contraband, much leſs ſuch as have been already wrought and made up for any other uſe; all which ſhall wholly be reckoned among free Goods, as likewiſe all other Merchandizes and Things which are not comprehended, and particularly mentioned in the preceding Article; ſo that they may be tranſported and carried in the freeſt manner by the Subjects of both Confederates, even to Places belonging to an Enemy, ſuch Towns or Places being only excepted, as are at that time beſieged, blocked up round about, or inveſted.

XXI. To the end that all manner of Diſſenſions and Quarrels may be avoided and prevented on one ſide and t'other, it is agreed, That in caſe either of their Royal Majeſtys, who enter into this Alliance, ſhould be engaged in War, the Ships and Veſſels belonging to the Subjects of the other Ally muſt be furniſhed with Sea-Letters or Paſſports, expreſſing the Name, Property, and Bulk of the Ship, as alſo the Name and Place of Habitation of the Maſter and Commander of the ſaid Ship, that it may appear thereby, that the Ship really and truly belongs to the Subjects of one of the Princes: which Paſſports ſhall be made out and granted, according to the Form annexed to this Treaty. They ſhall likewiſe be recalled every Year, that is, if the Ship happens to return home within the ſpace of a Year. It is likewiſe agreed, That ſuch Ships being laden, are to be provided, not only with Paſſports, as abovementioned, but alſo with Certificates, containing the ſeveral Particulars of the Cargo, the Place whence the Ship ſailed, and whither ſhe is bound; that ſo it may be known whether any forbidden or contraband Goods as are enumerated in the 19th Article of this Treaty, be on board the ſame; which Certificates ſhall be made out by the Officers of the Place whence the Ship ſet Sail, in the accuſtomed Form. And if any one ſhall think it fit or adviſable to expreſs in the

ſaid

ſaid Certificates the Perſon to whom they belong, he may freely do ſo.

XXII. The Ships of the Subjects and Inhabitants of both their moſt Serene Royal Majeſtys, coming to any of the Sea-Coaſts within the Dominions of either of the Confederates, but not willing to enter into Port, or being enter'd yet not being willing to ſhew or to ſell the Cargoes of their Ships, ſhall not be obliged to give an account of their Lading, unleſs they are ſuſpected upon ſure Evidence, of carrying to the Enemys of the other Confederate prohibited Goods, called contraband.

XXIII. And in caſe of the ſaid manifeſt Suſpicion, the ſaid Subjects and Inhabitants of the Dominions of both their moſt Serene Royal Majeſtys ſhall be obliged to exhibit in the Ports their Paſſports and Certificates, in the manner before ſpecified.

XXIV. But in caſe the Ships of the Subjects and Inhabitants of both their moſt Serene Royal Majeſtys, either on the Sea-Coaſt, or on the high-Seas, ſhall meet with the Men of War of the other, or with Privateers, the ſaid Men of War and Privateers, for preventing any Inconveniences, are to remain out of Cannon-ſhot, and to ſend a Boat to the Merchant-ſhip which has been met with, and ſhall enter her with two or three Men only, to whom the Maſter or Commander of ſuch Ship or Veſſel ſhall ſhew his Paſſport, concerning the Property thereof, made out according to the Form annexed to this preſent Treaty; and the Ship which ſhall exhibit one, ſhall have free Paſſage, and it ſhall be wholly unlawful any way to moleſt her, ſearch, or compel her to quit her intended Courſe.

XXV. But that Merchant-Ship of the other Party, which intends to go to a Port at Enmity with the other Confederate, or concerning whoſe Voyage, and the ſort of Goods on board, there may be juſt Suſpicion, ſhall be obliged to exhibit, either on the high Seas, or in the Ports and Havens, not only her Paſſports, but her Certificates, expreſſing, that they are not of the kind of Goods prohibited which are ſpecified in the 19th Article.

XXVI. But if one Party, on exhibiting the above-ſaid Certificates, mentioning the Particulars of the things on board, ſhould diſcover any Goods of that kind which are declared contraband or prohibited by the 19th Arti-

cle of this Treaty, to be deſigned for a Port ſubject to the Enemy of the other, it ſhall be unlawful to break up the Hatches of that Ship, wherein the ſame ſhall happen to be found, whether ſhe belong to the Subjects of *Great Britain* or of *France*; to open the Cheſts, Packs, or Casks therein, or to remove even the ſmalleſt Parcel of the Goods, unleſs the Lading be brought on Shore, in the preſence of the Officers of the Court of Admiralty, and an Inventory thereof be made: but there ſhall be no Allowance to ſell, exchange, or alienate the ſame in any manner, unleſs after due and lawful Proceſs has been had againſt ſuch prohibited Goods, the Judges of the Admiralty reſpectively ſhall, by a Sentence pronounced, have confiſcated the ſame; Saving always as well the Ship itſelf, as the other Goods found therein, which by this Treaty are to be eſteemed free: neither may they be detain'd on pretence of their being, as it were, infected by the prohibited Goods, much leſs ſhall they be confiſcated as lawful Prize. But if not the whole Cargo, but only part thereof, ſhall conſiſt of prohibited or contraband Goods, and the Commander of the Ship ſhall be ready and willing to deliver them to the Captor, who has diſcovered them, in ſuch caſe the Captor having received thoſe Goods, ſhall forthwith diſcharge the Ship, and not hinder her, by any means, freely to proſecute the Voyage on which ſhe was bound.

XXVII. On the contrary it is agreed, that whatever ſhall be found to be laden by the Subjects and Inhabitants of either Party on any Ship belonging to the Enemy of the other, and his Subjects, the whole, altho it be not of the ſort of prohibited Goods, may be confiſcated, in the ſame manner as if it belonged to the Enemy himſelf; except thoſe Goods and Merchandizes as were put on board ſuch Ship before the Declaration of War, or even after ſuch Declaration, if ſo be it were done within the Time and Limits following; that is to ſay, if they were put on board ſuch Ship in any Port and Place within the ſpace of ſix Weeks after ſuch Declaration within the Bounds called the *Naze* in *Norway*, and the *Soundings*; of two Months from the *Soundings* to the City of *Gibraltar*; of ten Weeks in the *Mediterranean* Sea; and of eight Months in any other Country or Place in the World: ſo that the Goods of the Subjects of either Prince, whether

ther they be of the Nature of ſuch as are prohibited, or otherwiſe, which, as is aforeſaid, were put on board any Ship belonging to an Enemy before the War, or after the Declaration of the ſame within the Time and Limits aboveſaid, ſhall no ways be liable to Confiſcation, but ſhall well and truly be reſtored without delay to the Proprietors demanding the ſame; but ſo as that if the ſaid Merchandizes be contraband, it ſhall not be any ways lawful to carry them afterwards to the Ports belonging to the Enemy.

XXVIII. And that more abundant Care be taken for the Security of the Subjects of both their moſt Serene Royal Majeſtys, that they ſuffer no Injury by the Men of War or Privateers of the other Party, all the Commanders of the Ships of the Queen of *Great Britain*, and of the moſt Chriſtian King, and all their Subjects, ſhall be forbid doing any Injury or Damage to the other ſide; and if they act to the contrary, they ſhall be puniſhed, and ſhall moreover be bound to make Satisfaction for all cauſe of Damage, and the Intereſt thereof, by Reparation, under the Bond and Obligation of their Perſon and Goods.

XXIX. For this Cauſe all Commanders of Privateers, before they receive their Patents or ſpecial Commiſſions, ſhall hereafter be obliged to give, before a competent Judge, ſufficient Security by good Bail, who are Men able to pay, and have no Intereſt in the ſaid Ship, and are each bound in the whole, for the Sum of 1500 *l.* Sterling, or 16500 *Livres Tournois*; or if ſuch Ship be provided with above 150 Seamen or Soldiers, for the Sum of 3000 *l.* Sterling, or 33000 *Livres Tournois*, that they will make entire Satisfaction for any Damages and Injurys whatſoever, which they, or their Officers, or others in their Service, commit during their Courſe at Sea, contrary to this preſent Treaty, or the Edicts of either of their moſt Serene Royal Majeſtys, publiſhed by virtue thereof; under penalty likewiſe of having their ſpecial Commiſſions and Patents revoked and annulled.

XXX. Both their abovenamed Royal Majeſtys being willing to ſhew a mutual and equal Favour in all their Dominions reſpectively, to the Subjects of each other, in the ſame manner as if they were their own Subjects, will give ſuch Orders as ſhall be neceſſary and effectual, that Juſtice be adminiſtred concerning Prizes in the Court of Admi-

ralty, according to the Rules of Equity and Right, and the Articles of this Treaty, by Judges who are above all Suſpicion, and who have no manner of Intereſt in the Cauſe in diſpute.

XXXI. Whenſoever the Ambaſſadors of each of their Royal Majeſtys abovenamed, and other their Miniſters having a publick Character, and reſiding in the Court of the other Prince, ſhall complain of the Unjuſtneſs of the Sentences which have been given, their Majeſtys on each ſide ſhall take care, that the ſame be reviſed and re-examined in their reſpective Councils, that it may appear whether the Directions and Proviſions preſcribed in this Treaty have been obſerved, and have had their due Effect. They ſhall likewiſe take care, that this Matter be effectually provided for, and that Right be done to every Complainant, within the ſpace of three Months. However, before or after Judgment given, the Reviſion thereof ſtill depending, for the avoiding of all Damage, it ſhall not be lawful to ſell the Goods in diſpute, or to unlade them, unleſs with the conſent of the Perſon concerned.

XXXII. A Suit being commenced between the Captors of Prizes on one part, and the Reclaimers of the ſame on the other, and a Sentence or Decree being given in favour of the Reclaimer, that ſame Sentence or Decree, Security being given, ſhall be put in execution, the Appeal of the Captor to a ſuperior Judge in any wiſe notwithſtanding; which however is not to be obſerved when Judgment has been given againſt the Reclaimer.

XXXIII. In caſe that either Ships of War, or Merchant-men, forced by Storms or other Misfortunes, be driven on Rocks or Shelves on the Coaſts of one or the other Party, and are there broken to pieces, and ſhipwrecked; whatever part of the Ships, or Tackling thereof, as alſo of the Goods and Merchandizes, ſhall be ſaved, or the Produce thereof, ſhall be faithfully reſtored to the Proprietors, Reclaimers, or their Factors, paying only the Expences of preſerving the ſame, in ſuch manner as it may be ſettled on both ſides concerning the rate of Salvage; ſaving at the ſame time the Rights and Cuſtoms of each Nation. And both their moſt Serene Royal Majeſtys will interpoſe their Authority, that ſuch of their Subjects may be ſeverely puniſhed, who in the like Accident ſhall be found guilty of Inhumanity.

XXXIV.

XXXIV. It ſhall be free for the Subjects of each Party to employ ſuch Advocates, Attorneys, Notarys, Sollicitors and Factors, as they ſhall think fit; to which end the ſaid Advocates, and others abovementioned, may be appointed by the ordinary Judges, if it be needful, and the Judges be required thereto.

XXXV. And that Commerce and Navigation may be more ſecurely and freely followed, it is farther agreed, that neither the Queen of *Great Britain*, nor the moſt Chriſtian King ſhall receive any Pirates or Robbers into any of their Ports, Havens, Citys or Towns; neither ſhall they permit them to be received into their Ports, to be protected, or aſſiſted by any manner of harbouring or ſupport, by any the Subjects or Inhabitants of either of them. But they ſhall rather cauſe all ſuch Pirates and Sea-Robbers, or whoever ſhall receive, conceal or aſſiſt them, to be apprehended, and puniſhed as they deſerve, for a Terror and Example to others. And all the Ships, Goods, or Merchandizes, piratically taken by them, and brought into the Ports of the Kingdom of either, as much as can be found, altho they have by Sale been conveyed to others, ſhall be reſtored to the lawful Owners, or their Deputys, having Inſtruments of Delegation, and an Authority of Procuration for reclaiming the ſame; and Indemnification ſhall be made, proper Evidence being firſt given in the Court of Admiralty, for proving the Property. And all Ships and Merchandizes, of what nature ſoever, which can be reſcued out of their hands on the high Seas, ſhall be brought into ſome Port of either Kingdom, and delivered to the Cuſtody of the Officers of that Port, with this Intention, that they be delivered entire to the true Proprietor, as ſoon as due and ſufficient Proof ſhall have been made concerning the Property thereof.

XXXVI. It ſhall be lawful as well for the Ships of War of both their moſt Serene Royal Majeſtys, as for Privateers, to carry whitherſoever they pleaſe, the Ships and Goods taken from their Enemys; neither ſhall they be obliged to pay any thing to the Officers of the Admiralty, or to any other Judges; nor ſhall the aforementioned Prizes, when they come to, and enter the Ports of either of their moſt Serene Royal Majeſtys, be detained by Arreſt; neither ſhall Searchers, or other Officers of thoſe Places, make Examination concerning them, or the Validity thereof: But rather they ſhall have free liberty to hoiſt Sail

at

at any time, to depart and to carry their Prizes to that place which is mentioned in their Commiſſion or Patent, which the Commanders of ſuch Ships of War ſhall be obliged to ſhew. On the contrary, no Shelter or Refuge ſhall be given in their Ports to ſuch as have made a Prize upon the Subjects of either of their Royal Majeſtys. And if perchance ſuch Ships ſhall come in, being forced by ſtreſs of Weather, or the danger of the Sea, particular care ſhall be taken (as far as it is not repugnant to former Treatys made with other Kings and States) that they go from thence, and retire elſewhere as ſoon as poſſible.

XXXVII. Neither of their moſt Serene Royal Majeſtys ſhall permit that the Ships or Goods of the other be taken upon the Coaſts, or in the Ports, or Rivers of their Dominions, by Ships of War, or others having Commiſſion from any Prince, Commonwealth, or Town whatſoever. And in caſe ſuch a thing ſhould happen, both Partys ſhall uſe their Authority and united Force, that the Damage done be made good.

XXXVIII. If hereafter it ſhall happen thro' Inadvertency, or otherwiſe, that any Contraventions or Inconveniences on either ſide ariſe concerning the Obſervation of this Treaty, the Friendſhip and good Intelligence ſhall not immediately thereupon be broke off; but this Treaty ſhall ſubſiſt in all its force, and a proper Remedy for removing the Inconveniences ſhall be procured, as likewiſe Reparation of the Contraventions; and if the Subjects of the one or the other be found in fault, they only ſhall be ſeverely puniſhed and chaſtiſed.

XXXIX. But if it ſhall appear that a Captor made uſe of any kind of Torture upon the Maſter of the Ship, the Ships-Crew, or others who ſhall be on board any Ship belonging to the Subjects of the other Party; in ſuch caſe, not only the Ship itſelf, together with the Perſons, Merchandizes, and Goods whatſoever, ſhall be forthwith releaſed without any farther delay, and ſet intirely free, but alſo ſuch as ſhall be found guilty of ſo great a Crime, as alſo the Acceſſarys thereto, ſhall ſuffer the moſt ſevere Puniſhment, ſuitable to their Crime. This the Queen of *Great Britain* and the moſt Chriſtian King do mutually engage ſhall be done without any reſpect of Perſons.

Form

Form of the Paſsports to be deſired of, and given by the Lord High Admiral of Great Britain, *&c. or by the Lords Commiſſioners for executing the Office of High Admiral of* Great Britain, *&c. according to the Direction of the 21ſt Article of this Treaty.*

TO all to whom theſe Preſents ſhall come, Greeting. We High Admiral of *Great Britain*, &c. (or) We Commiſſioners for executing the Office of High Admiral of *Great Britain*, &c. do make known and teſtify by theſe Preſents, That *A. B.* of *C.* the uſual Place of his Dwelling, Maſter or Commander of the Ship called *D.* appeared before us, and declared by ſolemn Oath, (or, produced a Certificate under the Seal of the Magiſtrate, or of the Officers of the Cuſtoms of the Town and Port of *E.* dated the Day of the Month of in the Year of our Lord 17 of and concerning the Oath made before them) that the ſaid Ship and Veſſel *D.* Burden Tuns, whereof he himſelf is at this time Maſter or Commander, doth really and truly belong to the Subjects of her moſt Serene Majeſty our moſt gracious Sovereign. And whereas it would be moſt acceptable to us that the ſaid Maſter or Commander ſhould be aſſiſted in the Affairs wherein he is juſtly and honeſtly employed, we deſire you, and all and every of you, that whereſoever the ſaid Maſter or Commander ſhall bring his Ship, and the Goods on board thereof, you would cauſe him to be kindly received, to be civilly treated, and paying the lawful and accuſtomed Dutys, and other things, to be admitted to enter, to remain in, to depart out of your Ports, Rivers, and Dominions, to enjoy all manner of Right, and all kind of Navigation, Traffick and Commerce, in all places where he ſhall think proper and convenient. For which we ſhall always be moſt willing and ready to make returns to you in a grateful manner. In Witneſs and Confirmation whereof, we have ſigned theſe Preſents, and cauſed our Seal to be put thereunto. Given at the Day of the Month of in the Year 17

Form

Form of the Certificates to be required of, and to be given by the Magiſtrate, or Officers of the Cuſtoms of the Town and Port, in their reſpective Towns and Ports, to the Ships and Veſſels which ſail from thence, according to the Direction of the 21ſt Article of this preſent Treaty.

WE *A. B.* Magiſtrate (or) Officers of the Cuſtoms of the Town and Port of *C.* do certify and atteſt, That on the Day of the Month of in the Year of our Lord 17 *D. E.* of *F.* perſonally appeared before us, and declared by a ſolemn Oath, that the Ship or Veſſel called *G.* of about Tuns, whereof *H. I.* of *K.* his uſual place of Habitation, is Maſter or Commander, does rightfully and properly belong to him and others Subjects of her moſt Serene Majeſty, our moſt Gracious Sovereign, and to them alone: That ſhe is now bound from the Port of *L.* to the Port of *M.* laden with the Goods and Merchandizes here under particularly deſcribed and enumerated, that is to ſay, as follows.

In Witneſs whereof, we have ſigned this Certificate, and ſealed it with the Seal of our Office. Given the Day of the Month of in the Year of our Lord 17

Form of the Paſſports and Letters which are to be given in the Admiralty of France, *to the Ships and Barks which ſhall go from thence, according to the 21ſt Article of this preſent Treaty.*

LEWIS Count of *Thoulouſe*, Admiral of *France*, to all who ſhall ſee theſe Preſents, Greeting. We make known that we have given leave and permiſſion to

Maſter

Maſter and Commander of the Ship called of the Town of Burden Tuns or thereabouts, lying at preſent in the Port and Haven of and bound for and laden with after his Ship has been viſited, and before ſailing, that he ſhall make Oath before the Officers who have the Juriſdiction of the Maritime Affairs, that the ſaid Ship belongs to one or more of the Subjects of his Majeſty, the Act whereof ſhall be put at the end of theſe Preſents, as likewiſe that he will keep, and cauſe to be kept by his Crew, on board the Marine Ordinances and Regulations, and enter in the proper Office a Liſt ſigned and witneſſed, containing the Names and Sirnames, the Places of Birth and Abode of the Crew of his Ship, and of all who ſhall embark on board her, whom he ſhall not take on board without the knowledge and permiſſion of the Officers of the Marine; and in every Port or Haven where he ſhall enter with his Ship, he ſhall ſhew this preſent Leave to the Officers and Judges of the Marine, and ſhall give a faithful account to them of what paſſed and was done during his Voyage. And he ſhall carry the Colours, Arms, and Enſigns of the King, and of Us during his Voyage. In Witneſs whereof, we have ſigned theſe Preſents, and put the Seal of our Arms thereunto, and cauſed the ſame to be counterſigned by our Secretary of the Marine, at the Day of 17 Signed *Lewis* Count of *Thouloufe*, and underneath by

Form of the Act containing the Oath.

WE of the Admiralty of do certify that Maſter of the Ship named in the above Paſſport, has taken the Oath mentioned therein. Done at the Day of 17

XL. The preſent Treaty ſhall be ratified by the Queen of *Great Britain*, and by the moſt Chriſtian King, and the Ratifications thereof ſhall be duly exchanged at *Utrecht* wthin four Weeks, or ſooner if poſſible.

In Witneſs whereof, we the underwritten Ambaſſadors Extraordinary and Plenipotentiarys of the Queen of *Great Britain*, and of the moſt Chriſtian King, have ſet our

our Hands and Seals to this preſent Treaty, at *Utrecht*, the $\frac{31}{11}$th Day of $\frac{March}{April}$, in the Year of our Lord 1713.

(L. S.) *Joh. Briſtol*, C. P. S.
(L. S.) *Strafford.*
(L. S.) *Huxelles.*
(L. S.) *Meſnager.*

ANNE R.

ANNE, by the Grace of God, Queen of *Great Britain*, *France*, and *Ireland*, Defender of the Faith, *&c.* To all and ſingular to whom theſe Preſents ſhall come, Greeting. Whereas the Congreſs that was held at *Utrecht* in the Beginning of the laſt Year, for making a general Peace, has been drawn out into length above theſe fourteen Months by various Obſtacles, which have been thrown in the way, contrary to our Hopes and Wiſhes; but now, by the Favour and Goodneſs of Almighty God (who has been pleaſed to inſpire the Love of Concord more ſtrongly into the Breaſts of the Partys engaged in War) it ſeems happily to tend towards the End ſo long deſired, and ſo neceſſary for the Tranquillity and Welfare of *Europe:* We having at laſt adjuſted with our good Brother the moſt Chriſtian King all Matters on both ſides, relating both to Peace and Commerce, to the end that our Miniſters who have hitherto under the Title of Plenipotentiarys applied themſelves, with our higheſt Approbation, to the diſcharge of this Employment, may, with greater Splendor, put an end to this moſt wholeſom Work, have thought fit to give them the moſt honourable Character of our Ambaſſadors Extraordinary. Now know ye, That we repoſing eſpecial Confidence in the Loyalty, Induſtry, Experience, and Sagacity in managing Matters of great Importance, of the Right Reverend Father in God our Right Truſty and well-beloved Counſellor, *John* Biſhop of *Briſtol*, Keeper of our Privy-Seal, Dean of *Windſor*, and Regiſter of our moſt Noble Order of the Garter; and of our Right Truſty, and Right well-beloved Couſin and Counſellor, *Thomas* Earl of *Strafford*, Viſcount *Wentworth* of *Wentworth-Woodhouſe* and *Stainborough*, Baron of *Raby*, Lieutenant-General of our Forces, firſt Commiſſioner of our Admiralty, Knight of

our

our moſt Noble Order of the Garter, and our Ambaſſador Extraordinary and Plenipotentiary to the High and Mighty Lords the States General of the *United Netherlands*; have named, made and conſtituted them, as by theſe Preſents we do name, make and conſtitute them, our true, certain and undoubted Ambaſſadors Extraordinary, Commiſſarys, Procurators, and Plenipotentiarys; giving and granting to them, jointly and ſeparately, all and all manner of Power, Faculty, and Authority, as alſo both general and ſpecial Order (but ſo as the general do not derogate from the ſpecial, nor on the contrary) to meet and confer in the City of *Utrecht*, or in any other place, with the Ambaſſadors Extraordinary and Plenipotentiarys, which the ſaid moſt Chriſtian King ſhall have deputed on his part, being furniſhed with ſufficient Authority, and to treat, agree, and conclude concerning ſafe, laſting, and honourable Conditions of Peace and Friendſhip between us and the ſaid moſt Chriſtian King; and to ſign for us, and in our Name, all ſuch things as ſhall be ſo agreed and concluded; and to make out ſuch and ſo many Inſtruments of what is concluded, as ſhall be neceſſary, and to exchange and mutually receive the ſame; and generally to do and perform all ſuch things as they ſhall judge neceſſary, or any way conducible towards making and ſettling the Conditions of Peace and Friendſhip, as is aboveſaid, in as ample manner and form, and with the like force and effect, as we ourſelves might do and perform, if we were preſent; engaging and promiſing on our royal Word, that we will accept, approve, and ratify, in the ſame manner and form as they have been agreed, all and every thing that by virtue of theſe Preſents ſhall happen to be tranſacted, concluded and ſigned by our ſaid Ambaſſadors Extraordinary, Commiſſarys, Procurators, and Plenipotentiarys, jointly or ſeparately. In Witneſs and Confirmation whereof, we have commanded our Great Seal of *Great Britain* to be affixed to theſe Preſents, ſigned with our royal Hand. Given at our Palace of St. *James's*, the 24th Day of *March*, in the Year of our Lord 1712-13, and of our Reign the Twelfth.

LEWIS, by the Grace of God, King of *France* and *Navarre*, to all who ſhall ſee theſe Preſents, Greeting. Whereas we have omitted nothing for contributing with all our Might towards the Re-eſtabliſhment of a ſincere

ſincere and ſolid Peace; and as our moſt dear and moſt beloved Siſter the Queen of *Great Britain* has ſhewn the ſame Deſire, and as there is room to hope, that the Conferences which are held at *Utrecht* for attaining to ſo deſirable a Good, will in a little time have a happy Iſſue; and being willing likewiſe to apply all our Care for promoting the Effect thereof, and repoſing entire Confidence in the Capacity, Experience, Zeal, and Fidelity for our Service, of our moſt dear and well-beloved Couſin the Marquiſs *d' Huxelles*, Marſhal of *France*, Knight of our Orders, and our Lieutenant-General of the Government of *Burgundy*; and of our dear and well-beloved the Sieur *Meſnager*, Knight of our Order of St. *Michael*: For theſe Cauſes, and other good Conſiderations us hereunto moving, we have commiſſioned, ordained and deputed, as by theſe Preſents ſigned with our Hand, we do commiſſion, ordain, and depute the ſaid Sieurs, Marſhal *d' Huxelles*, and *Meſnager*, and have given, and do give to them full Power, Commiſſion, and ſpecial Command, in quality of our Ambaſſadors Extraordinary, and our Plenipotentiarys, to confer, negotiate, and treat with the Ambaſſadors Extraordinary, Plenipotentiarys of our ſaid Siſter, provided with her Powers in due form, to agree, conclude, and ſign ſuch Treatys of Peace, Articles and Conventions, as they ſhall ſee good. We will that in caſe of Abſence of one of them by Sickneſs, or thro' any other lawful Cauſe, the other have the ſame Power to confer, negotiate, treat, agree, conclude and ſign ſuch Treatys of Peace, Articles, and Conventions, as ſhall be agreeable to the Good of the Peace which we propoſe to ourſelves, and to the reciprocal Advantage of our Subjects; ſo that our ſaid Ambaſſadors Extraordinary and Plenipotentiarys may act in all that ſhall belong to the Negotiation with our ſaid Siſter, with the ſame Authority as we ſhould and might do, if we were preſent in Perſon, altho there ſhould be ſomething which might require a more ſpecial Order than is contained in theſe Preſents. We promiſe on the Faith and Word of a King, to approve, and to keep firm and laſting for ever, to fulfil and execute punctually all that the ſaid Sieurs, Marſhal *d' Huxelles* and *Meſnager*, or one of them, in the ſaid caſes of Abſence, or of Sickneſs, ſhall ſtipulate, promiſe, and ſign, by virtue of this preſent Power, without ever acting contrary thereto, or permitting that any thing be done

done to the contrary, on any Cauſe, or under any Pretence whatſoever; as likewiſe to cauſe our Letters ratifying the ſame to be diſpatched, in good Form, and to cauſe them to be delivered in order to be exchanged within the time which ſhall be agreed on by the Treatys to be made. For this is our Pleaſure. In Witneſs whereof, we have cauſed our Seal to be affixed to theſe Preſents. Given at *Verſailles*, the fourth Day of *March*, in the Year of our Lord One thouſand ſeven hundred and thirteen, and of our Reign the ſeventieth. Signed *LEWIS*, and on the Fold, by the King. *Colbert.*

BE it known unto all Men, That whereas in the 9th Article of the Treaty of Commerce, concluded this Day between the moſt Serene Queen of Great Britain *and the moſt Serene the moſt Chriſtian King, by their Majeſtys Ambaſſadors Extraordinary and Plenipotentiarys, mention is made of ſome Heads of Matters, which being propoſed on the part of* Great Britain, *have not as yet been mutually adjuſted; and therefore it was thought fit to refer them to be diſcuſſed and determined by the Commiſſioners: We therefore the underwritten Ambaſſadors, that it may certainly appear what are thoſe Heads of Matters which are to be referred to Commiſſioners, have reſolved to give a particular Deſcription of them in this Writing; declaring that they are the ſame, and no other than what follow.*

I. NO Manufactures of either Kingdom, and the Dominions belonging thereunto, ſhall hereafter be ſubject to be inſpected and confiſcated, under any pretence of Fraud or Defect in making or working them, or becauſe of any other Imperfection therein; but abſolute Freedom ſhall be allowed to the Buyer and Seller to bargain and agree for the ſame, as they ſhall ſee good; any Law, Statute, Edict, Arreſt, Privilege, Grant, or Cuſtom to the contrary notwithſtanding.

II. And foraſmuch as a certain Uſage, not confirmed by any Law, has obtained in ſeveral Towns of *Great Britain* and of *France*; that is to ſay, That every one for coming in and going out, ſhall pay a kind of Tax, called in *Engliſh*, *Head-Money*, and in *French*, *Du Chef*; it is concluded, That neither the ſame, nor any other Duty on that account, ſhall any more be exacted.

III. And the *Britiſh* Merchants ſhall not hereafter be forbidden to ſell Tobacco to any Buyer whom they pleaſe; for which purpoſe the letting out the Dutys on the ſaid Tobacco to Farmers, which has been hitherto practiſed, ſhall ceaſe, neither ſhall ſuch Farming be uſed again hereafter.

IV. The following Caſe only being excepted, that is to ſay, where *Britiſh* Ships ſhall take up Merchandizes in one Port, and carry them to another Port of *France*; in which caſe, and in no other, the *Britiſh* Subjects ſhall be obliged to pay the Dutys abrogated and aboliſhed by this Article, only in proportion to the Goods which they take in, and not according to the Bulk of the Ship.

V. Whereas ſeveral kinds of Goods, contained in Casks, Cheſts, or other Caſes, for which the Dutys are paid by Weight, will be exported from, and imported into *France* by *Britiſh* Subjects; it is therefore agreed, that in ſuch caſe the aforeſaid Dutys ſhall be payable only according to the Weight of the Goods themſelves, but the Weight of the Casks, Cheſts, and other Caſes whatever, ſhall be deducted in ſuch manner and proportion, as has been hitherto uſed in *England*, and is ſtill practiſed.

VI. It is farther agreed, that if any Miſtake or Error ſhall on either ſide be committed by any Maſter of a Ship, his Interpreter, or Factor, or by others employed by him, in making the Entry or Declaration of the Goods on board his Ship; for ſuch Defect, if ſo be ſome Fraud does not evidently appear, neither the Ship nor the Lading thereof ſhall be ſubject to be confiſcated; but it ſhall be free for the Proprietors to take back again ſuch Goods as were omitted in the Entry or Declaration of the Maſter of the Ship, paying only the accuſtomed Dutys according to the Rates ſettled in the Books: neither ſhall the Merchants, or the Maſter of the Ship, loſe the ſaid Goods, or ſuffer any other Puniſhment, if ſo be the ſaid Goods, ſo omitted, were not brought on ſhore before the Declaration made, and the Cuſtoms paid for the ſame.

VII. And whereas the Quality of the Ship, Maſter, and Goods, will ſufficiently appear from ſuch Paſſports and Certificates, it ſhall not be lawful for the Commanders of Men of War to exact any other Verification under any Title whatſoever. But if any Merchant-Ship ſhall want ſuch Paſſports or Certificates, then it may be examined by a proper Judge, but in ſuch manner, as if it ſhall be found

from

from other Proofs and Documents that it truly belongs to the Subjects of either of the Confederates, and contains no prohibited Goods, designed to be carried to the Enemy of the other, it shall not be liable to Confiscation, but shall be released, together with its Cargo, in order to proceed on its Voyage; since it may often happen, that such Papers could not come to the Ship when she was setting sail from any Port, or that they have been lost by some chance or other, or have been taken away from the Ship. And if, besides the Passports and Certificates made according to the form of his Treaty, other Passports and Certificates happen to be found in the Ship in another form, and perhaps according to the Prescription of Treatys made with others, no pretence shall be taken from thence of detaining, or in any wise molesting, either the Ship, or Men, or Goods. If the Master of the Ship named in the Passports be removed by Death, or any other Cause, and another be put in his place, the Passports shall nevertheless retain their force, and the Ships, and Goods laden thereon, shall be secure.

VIII. It is farther provided on both sides, and shall be taken for a general Rule, That a Ship and Goods, altho they have remained in the Enemy's power for four and twenty hours, shall not therefore be esteemed as Capture, and be immediately made Prize; but if on other accounts they ought to be restored, they may be reclaimed, and shall be given again to the Proprietors.

IX. It shall be free for both their Royal Majestys, for the Advantage of their Subjects trading to the Kingdoms and Dominions of the other, to constitute national Consuls of their own Subjects, who shall enjoy that Right and Liberty which belongs to them by reason of the Exercise of their Function; but as to the Places where such Consuls are to be appointed, both Sides shall afterwards agree between themselves. In Witness whereof, we the Ambassadors Extraordinary and Plenipotentiarys of her Sacred Royal Majesty of *Great Britain*, and of his Sacred Royal most Christian Majesty, have subscribed this present Instrument with our Hands, and set our Seals thereunto. At *Utrecht*, the $\frac{11}{11}$th Day of the Month of *March* / *April* in the Year 1713.

(L. S.) *Joh. Bristol*, C. P. S.
(L. S.) *Strafford.*
(L. S.) *Huxelles.*
(L. S.) *Mesnager.*

BE it known to all Men, That whereas in the 9th Article of the Treaty of Navigation and Commerce, concluded the $\frac{11}{11}$ *Day of* March/April 1713, *between the moſt Serene Queen of* Great Britain *and the moſt Serene the moſt Chriſtian King, by the Ambaſſadors Extraordinary and Plenipotentiarys of their Majeſtys, certain Merchandizes, namely, Woollen Manufactures, Sugar, Salt-Fiſh, and what is produced from Whales, are excepted in general words from the Rule of the Tariff made the 18th Day of the Month of* September *in the Year* 1664, *in order to be afterwards refered to the diſcuſſion of Commiſſarys: To prevent therefore all Miſtakes and Ambiguity, which might perhaps ariſe from ſuch general Terms, and to make it more evidently appear what particular ſorts of Goods are to come under the Conſideration of the aforeſaid Commiſſarys; we the under-written Ambaſſadors Extraordinary and Plenipotentiarys have declared by theſe Preſents, and do declare, That the Exception of the abovementioned Merchandizes is to be underſtood in the manner following.*

I. WHalebone cut and prepared, Fins and Oils of Whales, ſhall pay at all places of Importation in the Kingdom, the Dutys appointed by the Tariff of the 7th of *December* 1699.

II. Cloths, Ratines, and Serges, ſhall be likewiſe ſubject to the ſame Dutys of the Tariff of the 7th of *December* 1699; and in order to facilitate the Trade thereof, it ſhall be allowed to import them by St. *Valery* upon the *Somme*, by *Rouen*, and by *Bourdeaux*, where theſe Goods ſhall be ſubject to Viſitation in the ſame manner as thoſe which are made in the Kingdom.

III. Salt-Fiſh in Barrels only are to be imported into the Kingdom; and at all places of Entrance in the Kingdom, Countrys, and Territorys under the Dominion of the King, even at all free Ports, the Dutys of Landing and of Conſumption ſhall be paid which were appointed before the Tariff of 1664, and beſides 40 *Livres per* Laſt conſiſting of 12 Barrels, weighing each 300 *l.* for the Duty of Entry: which Entry ſhall not be permitted but by St. *Valery* upon the *Somme*, *Rouen*, *Nants*, *Libourne*, and *Bourdeaux*; and ſhall remain prohibited at all other Harbours or Ports, as well in the Ocean as in the *Mediterranean*.

IV. Re-

IV. Refined Sugar in Loaf or in Powder, white and brown Sugar-Candy, ſhall pay the Dutys appointed by the Tariff of 1699.

In Confirmation of which, we the underwritten Ambaſſadors Extraordinary and Plenipotentiarys of her Majeſty the Queen of *Great Britain*, and the moſt Chriſtian King, have ſign'd and ſeal'd theſe Preſents at *Utrecht*, the $\frac{2}{13}$ Day of $\frac{April}{May}$ in the Year 1713.

(L. S.) *Joh. Briſtol*, C. P. S. (L. S.) *Huxelles*.
(L. S.) *Strafford*. (L. S.) *Meſnager*.

The Queen of Great Britain's *Ratification of the Treaty of Peace between her* Britannick *Majeſty and the moſt Chriſtian King.*

ANNE, by the Grace of God, Queen of *Great Britain*, *France*, and *Ireland*, Defender of the Faith, *&c.* To all and ſingular to whom theſe Preſents ſhall come, Greeting. Whereas it hath pleaſed the Author of all Peace and Concord ſo far to favour our Endeavours, and thoſe of the moſt Serene and moſt Potent Prince *Lewis* XIV. the moſt Chriſtian King, our good Brother, that the moſt terrible Flame of War, which had ſo long raged in theſe Parts of the World, is at length happily extinguiſh'd; and the Ambaſſadors Extraordinary and Plenipotentiarys, furniſh'd on both ſides with the neceſſary Powers and Inſtructions for ſo wholeſom a Work, did conclude and ſign at *Utrecht* the $\frac{31ſt}{11th}$ of $\frac{March}{April}$ O. S. N. S. the Treaty of Peace and Friendſhip between us and the ſaid moſt Chriſtian King, in the Form and Expreſſions following:

We, having ſeen and conſider'd the Treaty of Peace and Friendſhip above-written, do approve, confirm and ratify the ſame, in all and ſingular its Articles and Clauſes; and do, by theſe Preſents, for us, our Heirs and Succeſſors, approve, confirm and ratify the ſame; promiſing and engaging, upon our Royal Word, that we will religiouſly and inviolably execute and perform the ſaid Treaty, and all and every the Contents thereof; and that we will never ſuffer (as far as we are able) any Perſon whatſoever to violate, or any ways act contrary thereto. In Witneſs whereof, we have ſign'd theſe Preſents with our Royal Hand, and cauſed our Great Seal of

Great Britain to be affixed to the ſame. Given at our Palace of St. *James*'s, the Seventh day of *April* 1713, in the twelfth Year of our Reign.

His moſt Chriſtian Majeſty's Ratification.

WE, having approved the aboveſaid Treaty of Peace in all and every the Points and Articles contained and declared therein, have, as well for ourſelf, as for our Heirs, Succeſſors, Kingdoms, Countrys, Lands, Lordſhips, and Subjects, accepted, approved, ratify'd and confirm'd the ſame, and by theſe Preſents, ſign'd with our Hand, do accept, approve, ratify and confirm the whole, upon the Faith and Word of a King, under the Obligation and Pledge of all and every of our Eſtates preſent and to come, to keep and inviolably obſerve, without ever contravening it, directly or indirectly, in any kind or manner whatever. In Witneſs whereof, we have put our Seal to theſe Preſents. Given at *Verſailles*, the 18th of *April* N. S. 1713, and of our Reign the Seventieth.

Sign'd, *LOUIS.*

And underneath, By the King.

Colbert.

Treaty of Peace and Friendſhip between the moſt Serene and moſt Potent Princeſs Anne, *by the Grace of God Queen of* Great Britain, France *and* Ireland, *Defender of the Faith,* &c. *and the moſt Serene and moſt Potent Prince* Philip V. *the Catholick King of* Spain, *concluded at* Utrecht, *the* $\frac{2}{13}$*th Day of* July 1713.

ANNE, by the Grace of God Queen of *Great Britain*, *France* and *Ireland*, Defender of the Faith, &c. To all and ſingular to whom theſe Preſents ſhall come, Greeting. Whereas a certain Treaty of Peace and Friend-

Friendſhip, between us and our good Brother *Philip* V. Catholick King of *Spain*, was concluded and ſigned at *Utrecht* the $\frac{11}{22}$th Day of this preſent Month by our Ambaſſadors Extraordinary and Plenipotentiarys, who were provided on each Part with ſufficient Authority, in the Form and Words following:

WHereas it has pleaſed the ſupreme Ruler of all things, after a moſt grievous War, which for ſo many Years has laid deſolate almoſt the whole Chriſtian World with Blood and Slaughter, of his divine Clemency to diſpoſe the Minds of the Princes engaged in the Contention to the thoughts of Peace and Concord, after they had been ſo long inflamed with the Rage and Fury of Arms; and whereas the moſt Serene and moſt Mighty Lady *Anne*, by the Grace of God Queen of *Great Britain*, *France* and *Ireland*, &c. and the moſt Serene and moſt Mighty Prince *Philip* V. by the Grace of God Catholick King of *Spain*, &c. wiſh for nothing more heartily, and endeavour nothing more earneſtly, than that the antient Bonds of Alliance and Friendſhip between the *Britiſh* and *Spaniſh* Nations, ſhould not only be renewed, but alſo more ſtrongly knit together, by freſh Engagements of Amity and Intereſt on both ſides, and tranſmitted indiſſoluble to all Poſterity; in order, at laſt, to finiſh happily ſo wholeſom and ſo deſirable a Work, they have nominated, on each ſide, their Ambaſſadors Extraordinary and Plenipotentiarys, and inſtructed them with ſufficient Orders; that is to ſay, the Queen of *Great Britain* on her part, the Right Reverend *John* by Divine Permiſſion, Biſhop of *Briſtol*, Keeper of the Privy Seal of *England*, Privy Counſellor to her Royal Majeſty, Dean of *Windſor*, and Regiſter of the moſt Noble Order of the Garter; and the moſt Noble, moſt Illuſtrious, and moſt Excellent Lord *Thomas* Earl of *Straffford*, Viſcount *Wentworth* of *Wentworth Woodhouſe* and of *Stainborough*, Baron of *Raby*, Privy Counſellor to her Royal Majeſty, her Ambaſſador Extraordinary and Plenipotentiary to the High and Mighty Lords the States General of the *United Provinces*, Colonel of her Majeſty's Royal Regiment of Dragoons, Lieutenant General of her Majeſty's Armys, firſt Commiſſioner of the Admiralty of *Great Britain* and *Ireland*, and Knight of the moſt Noble Order of the Garter: And the Catholick King on his Part, the moſt Illuſtrious and moſt Excellent Lord, *Fran-*

cis *Maria de Paula, Tellez* and *Giron*, Duke of *Oſſuna*, Count of *Urvegna*, Marquiſs of *Pennafiel*, Grandee of *Spain* of the firſt Claſs, High Chamberlain of the King, Great Notary of the Kingdoms of *Caſtile*, one of the Commanders, and Grand Clavero of the Order of *Callatrava*, and likewiſe Commander of the Order of St. *Jago*, one of the Grandees of the Chamber to the Catholick King *Philip* V. General Commander in his Armys, and Captain of the firſt Troop of his Majeſty's Life Guards; and the moſt Illuſtrious and moſt Excellent Lord, *Iſidore Cazado de Azavedo de Roſalez*, Marquiſs of *Monteleone*, Viſcount of *Alcazer Real*, Counſellor of his Catholick Majeſty in the Supreme Council, one of the honourable Chamberlains of the King. Which Ambaſſadors Extraordinary and Plenipotentiarys have conſented and agreed to the following Conditions of Peace and Friendſhip, to the ſame effect as thoſe which were made at the Courts of *London* and *Madrid* by Miniſters on each ſide.

I. That there be a Chriſtian univerſal Peace, and a perpetual and true Friendſhip between the moſt Serene and moſt Mighty Princeſs, *Anne* Queen of *Great Britain*, and the moſt Serene and moſt Mighty Prince *Philip* V. Catholick King of *Spain*, and their Heirs and Succeſſors; and alſo the Kingdoms, States, Dominions and Provinces of both Partys, whereſoever ſituated, and their Subjects; and that the ſame be ſo ſincerely preſerved and cultivated, that neither Party do, under any Colour whatever, endeavour to attempt any thing to the deſtruction or detriment of the other, or yield any Aid, by what name ſoever it be called, to thoſe who attempt the ſame, or who endeavour to do any Damage; neither may or ought they to help them by any means. On the contrary, their Royal Majeſtys ſhall be obliged to promote the Advantage, Honour and Intereſt of each other, and to direct their Counſels to that end with all Care, that by mutual Proof of Friendſhip, the Peace which is now made, may daily receive new additions of Strength.

II. But whereas the War, which is ſo happily ended by this Peace, was at firſt undertaken, and then carried on for many years with the utmoſt Force, at immenſe Charge, and with almoſt infinite Slaughter, becauſe of the great Danger which threatned the Liberty and Safety of all *Europe*, from the too cloſe Conjunction of the Kingdoms

doms of *Spain* and *France*; and whereas to take away all Uneaſineſs and Suſpicion concerning ſuch Conjunction, out of the Minds of People, and to ſettle and eſtabliſh the Peace and Tranquillity of Chriſtendom, by an equal Balance of Power, (which is the beſt and moſt ſolid Foundation of a mutual Friendſhip, and of a Concord which will be laſting on all ſides) as well the Catholick King, as the moſt Chriſtian King, have conſented, that care ſhould be taken, by ſufficient Precautions, that the Kingdoms of *Spain* and *France* ſhould never come and be united under the ſame Dominion, and that one and the ſame Perſon ſhould never become King of both Kingdoms: And to this end, his Catholick Majeſty has, for himſelf, his Heirs and Succeſſors, moſt ſolemnly renounced all manner of Right, Title and Pretenſion to the Crown of *France*, in the Form and Words following:

Here follow the French *King's Letters Patent, the Renunciation of King* Philip, *as alſo of the Duke of* Berry, *and the Duke of* Orleans, *all before recited in the Treaty between the Queen of* Great Britain *and the moſt Chriſtian King.*

His ſaid Catholick Majeſty hereby renews and confirms the moſt ſolemn Renunciation abovemention'd, made on his part; and as it has obtain'd the Force of a general and fundamental Law, he engages again in the moſt ſacred manner poſſible, that he will obſerve and take care that the ſame be obſerv'd inviolably; and he will likewiſe uſe his utmoſt Diligence, and provide with the greateſt Earneſtneſs, that the aforeſaid Renunciations may be irrevocably obſerv'd and put in Execution, as well on the part of *Spain* as on the part of *France*; for as much as while they ſubſiſt in their full force, and are faithfully kept on both ſides, as alſo the other Tranſactions relating thereto, the Crowns of *Spain* and *France* will be ſo ſeparated and divided from each other, that they can never hereafter be united in one.

III. That there be a perpetual Amneſty on both ſides, and Oblivion of all things which have been in an hoſtile manner committed in any Place, or by any Way, on one ſide and on the other, during the late War: ſo that neither on account thereof, nor by reaſon or under pretence of any other Matter, ſhall the one any way do or ſuffer to be done any Enmity to the other; or give any Moleſtation,

leſtation, directly or indirectly, under colour of Right, or by way of Fact.

IV. All and ſingular the Priſoners on each ſide, of what State or Condition ſoever they be, ſhall, immediately after the Ratification of this preſent Treaty, be reſtored to their former Liberty, without any Ranſom, paying only ſuch Debts as they may have contracted during their being Priſoners.

V. Moreover, for giving a greater and more laſting Strength to the Peace which is reſtored, and to this Friendſhip which is never to be violated, and for cutting off all Occaſions of Diſtruſt, which may at any time ariſe from the eſtabliſh'd Right and Order of the Hereditary Succeſſion to the Crown of *Great Britain*, and the Limitation thereof by the Laws of *Great Britain*, (made and enacted in the Reign of the late King *William* III. of glorious Memory, and in the Reign of the preſent Queen) to the Iſſue of the abovenamed Queen, and in failure thereof to the moſt Serene Princeſs *Sophia*, Electreſs Dowager of *Brunſwick*, and her Heirs in the Proteſtant Line of *Hannover*; that therefore the ſaid Succeſſion may be well and ſecurely preſerv'd according to the Laws of *Great Britain*, the Catholick King ſincerely and ſolemnly acknowledges the above-mention'd Limitation of the Succeſſion to the Kingdom of *Great Britain*; and declares and engages on the Faith and Word of a King, and on the Pledge of his and his Succeſſors Honour, that the ſame is, and ſhall for ever be approved and accepted by him and his Heirs and Succeſſors. And under the ſame Tie of the Word of a King and his Honour, the Catholick King does promiſe, that no Perſon, beſides the ſaid Queen, and her Succeſſors, according to the Order of Limitation eſtabliſh'd by the Laws and Statutes of *Great Britain*, ſhall ever be acknowledged or reputed by him, or by his Heirs and Succeſſors, to be King or Queen of *Great Britain*.

VI. The Catholick King doth further promiſe, as well in his own Name, as in that of his Heirs and Succeſſors, that they will not at any time diſturb or moleſt the ſaid Queen of *Great Britain*, her Heirs and Succeſſors of the Proteſtant Line as aforeſaid, being in poſſeſſion of the Crown of *Great Britain*, and the Dominions ſubject thereunto; neither will the aforeſaid Catholick King, or any of his Succeſſors, give, at any time, any Aid, Succour, Favour, Counſel, directly or indirectly, by Land or by Sea,

Sea, in Money, Arms, Ammunition, warlike Inſtruments, Ships, Soldiers, Seamen, or in any other manner whatever, to any Perſon or Perſons, whoſoever they be, who on any Cauſe or Pretence ſhould hereafter endeavour to oppoſe the ſaid Succeſſion, either by open War, or by encouraging Sedition, and forming Conſpiracys againſt ſuch Prince and Princeſs, who are in poſſeſſion of the Throne of *Great Britain*, by virtue of the Acts of Parliament there made, or againſt that Prince or Princeſs to whom the Succeſſion to the Crown of *Great Britain* ſhall belong, according to the Acts of Parliament, as aboveſaid.

VII. That the ordinary Diſtribution of Juſtice be reſtored and open again thro' the Kingdoms and Dominions of each of their Royal Majeſtys; ſo that it may be free for all the Subjects on both ſides, to proſecute and obtain their Rights, Pretenſions and Actions, according to the Laws, Conſtitutions, and Statutes of each Kingdom: And eſpecially, if there be any Complaints concerning Injurys or Grievances, which have been done contrary to the Tenor of the Treatys, either in time of Peace, or at the Beginning of the War lately ended, care ſhall be taken that the Damages be forthwith made good, according to the Rules of Juſtice.

VIII. That there be a free Uſe of Navigation and Commerce between the Subjects of each Kingdom, as it was heretofore in time of Peace, and before the Declaration of this late War, in the Reign of *Charles* II. of glorious Memory, Catholick King of *Spain*, according to the Treatys of Friendſhip, Confederation and Commerce, which were formerly made between both Nations, according to antient Cuſtoms, Letters Patent, Schedulas, and other particular Acts; and alſo, according to the Treaty or Treatys of Commerce, which are now, or will forthwith be made at *Madrid*. And whereas, among other Conditions of the general Peace, it is by common Conſent eſtabliſhed as a chief and fundamental Rule, that the Exerciſe of Navigation and Commerce to the *Spaniſh Weſt-Indies* ſhould remain in the ſame State it was in the Time of the aforeſaid King *Charles* II. that therefore this Rule may hereafter be obſerv'd with inviolable Faith, and in a manner never to be broken, and thereby all Cauſes of Diſtruſt and Suſpicion concerning that Matter may be prevented and remov'd, it is eſpecially agreed and concluded, that no Licence, nor any Permiſſion at all, ſhall at any time

be

be given either to the *French*, or to any Nation whatever, in any Name or under any Pretence, directly or indirectly, to ſail to, traffick in, or introduce Negroes, Goods, Merchandizes, or any things whatſoever, into the Dominions ſubject to the Crown of *Spain* in *America*, except what may be agreed by the Treaty or Treatys of Commerce aforeſaid, and the Rights and Privileges granted in certain Conventions, commonly called *el Aſſiento de Negroes*, whereof mention is made in the 12th Article; except alſo whatſoever the ſaid Catholick King or his Heirs or Succeſſors, ſhall promiſe, by any Contract or Contracts, for the Introduction of Negroes into the *Spaniſh Weſt-Indies*, to be made after the Convention, or the *Aſſiento de Negroes* above-mention'd, ſhall be determin'd. And that more ſtrong and full Precautions may be taken on all ſides, as aboveſaid, concerning the Navigation and Commerce to the *Weſt-Indies*, it is hereby further agreed and concluded, that neither the Catholick King, nor any of his Heirs and Succeſſors whatſoever, ſhall ſell, yield, pawn, transfer, or, by any means, or under any Name, alienate from them and the Crown of *Spain* to the *French*, or to any other Nations whatever, any Lands, Dominions or Territorys, or any part thereof belonging to *Spain* in *America*. On the contrary, that the *Spaniſh* Dominions in the *Weſt-Indies* may be preſerv'd whole and entire, the Queen of *Great Britain* engages, that ſhe will endeavour, and give aſſiſtance to the *Spaniards*, that the antient Limits of their Dominions in the *Weſt-Indies* be reſtored and ſettled as they ſtood in the Time of the aboveſaid Catholick King *Charles* II. if it ſhall appear, that they have, in any manner, or under any pretence, been broken into, and leſſen'd in any part, ſince the Death of the aforeſaid Catholick King *Charles* II.

IX. It is further agreed and concluded, as a general Rule, That all and ſingular the Subjects of each Kingdom, ſhall, in all Countrys and Places, on both ſides, have and enjoy at leaſt the ſame Privileges, Libertys, and Immunitys, as to all Dutys, Impoſitions, or Cuſtoms whatſoever, relating to Perſons, Goods and Merchandizes, Ships, Freight, Seamen, Navigation and Commerce; and ſhall have the like Favour in all things as the Subjects of *France*, or any other foreign Nation, the moſt favour'd, have, poſſeſs and enjoy, or at any time hereafter may have, poſſeſs or enjoy.

X. The

X. The Catholick King does hereby, for himſelf, his Heirs and Succeſſors, yield to the Crown of *Great Britain*, the full and intire Propriety of the Town and Caſtle of *Gibraltar*, together with the Port, Fortifications, and Forts thereunto belonging; and he gives up the ſaid Propriety, to be held and enjoyed abſolutely, with all manner of Right for ever, without any Exception or Impediment whatſoever. But that Abuſes and Frauds may be avoided by importing any kind of Goods, the Catholick King wills, and takes it to be underſtood, that the abovenamed Propriety be yielded to *Great Britain*, without any Territorial Juriſdiction, and without any open Communication by Land with the Country round about. Yet whereas the Communication by Sea with the Coaſt of *Spain*, may not at all times be ſafe or open, and thereby it may happen, that the Gariſon, and other Inhabitants of *Gibraltar*, may be brought to great Straits; and as it is the Intention of the Catholick King, only that fraudulent Importations of Goods ſhould, as is aboveſaid, be hindred by an Inland Communication, it is therefore provided, that in ſuch caſes it may be lawful to purchaſe for ready Money in the neighbouring Territorys of *Spain*, Proviſions, and other things neceſſary for the uſe of the Gariſon, the Inhabitants, and the Ships which lie in the Harbour. But if any Goods be found imported by *Gibraltar*, either by way of Barter for purchaſing Proviſions, or under any other Pretence, the ſame ſhall be confiſcated; and, Complaint being made thereof, thoſe Perſons who have acted contrary to the Faith of this Treaty, ſhall be ſeverely puniſhed. And her *Britannick* Majeſty, at the requeſt of the Catholick King, does conſent and agree, that no Leave ſhall be given, under any pretence whatſoever, either to *Jews* or *Moors*, to reſide or have their Dwellings in the ſaid Town of *Gibraltar*; and that no Refuge or Shelter ſhall be allowed to any *Mooriſh* Ships of War, in the Harbour of the ſaid Town, whereby the Communication between *Spain* and *Ceuta* may be obſtructed, or the Coaſts of *Spain* be infeſted by the Excurſion of the *Moors*. But whereas Treatys of Friendſhip, and a Liberty and Intercourſe of Commerce, are between the *Britiſh* and certain Territorys ſituate on the Coaſt of *Africa*, it is always to be underſtood, that the *Britiſh* Subjects cannot refuſe the *Moors*, and their Ships, Entry into the Port of *Gibraltar*, purely on the account of Merchandizing. Her Majeſty the Queen

of

of *Great Britain* does further promiſe, that the free Exerciſe of their Religion ſhall be indulged to the Roman-Catholick Inhabitants of the aforeſaid Town. And in caſe it ſhall hereafter ſeem meet to the Crown of *Great Britain*, to grant, ſell, or by any means to alienate therefrom the Propriety of the ſaid Town of *Gibraltar*, it is hereby agreed and concluded, that the Preference of having the ſame ſhall always be given to the Crown of *Spain* before any others.

XI. Moreover, the Catholick King doth in like manner, for himſelf, his Heirs and Succeſſors, yield to the Crown of *Great Britain* the whole Iſland of *Minorca*, and doth transfer thereunto for ever all Right, and the moſt abſolute Dominion over the ſaid Iſland, and in particular over the Town, Caſtle, Harbour, and Fortifications of the Bay of *Minorca*, commonly called *Port-Mahone*, together with the other Ports, Places and Towns, ſituated in the aforeſaid Iſland. But it is provided, as in the above-written Article, that no Refuge or Shelter ſhall be open to any Ships of War of the *Moors* in *Port-Mahone*, or in any other Port of the ſaid Iſland of *Minorca*, whereby the *Spaniſh* Coaſts may be infeſted by their Excurſions: And the *Moors* and their Ships ſhall only be allowed to enter the Iſland aforeſaid on account of Traffick, according to the Agreement of Treatys. The Queen of *Great Britain* promiſes alſo on her part, that if at any time it ſhall happen, that the Iſland of *Minorca*, and the Ports, Towns and Places therein ſituated, be by any means hereafter alienated from the Crown of her Kingdoms, the Preference ſhall be given to the Crown of *Spain* before any other Nation whatever, of redeeming the Poſſeſſion and Propriety of the aforeſaid Iſland. Her Royal Majeſty of *Great Britain* moreover engages, That ſhe will take care, that all the Inhabitants of the ſaid Iſland, both Eccleſiaſtical and Secular, ſhall ſafely and peaceably enjoy all their Eſtates and Honours, and the free Uſe of the Roman Catholick Religion ſhall be permitted: And Meaſures ſhall be taken for preſerving the aforeſaid Religion in that Iſland, provided the ſame be conſiſtent with the Civil Government and Laws of *Great Britain*. Thoſe likewiſe who are now in the Service of his Catholick Majeſty ſhall enjoy their Honours and Eſtates, tho they continue in the ſaid Service; and it ſhall be lawful for any Perſon who is deſirous to leave the ſaid Iſland, to ſell his Eſtate, and paſs freely with the Value thereof into *Spain*.

XII. The

XII. The Catholick King doth furthermore hereby give and grant to her *Britannick* Majeſty, and to the Company of her Subjects appointed for that purpoſe, as well the Subjects of *Spain* as all others being excluded, the Contract for introducing Negroes into ſeveral Parts of the Dominions of his Catholick Majeſty in *America*, commonly called *el Pacto de el Aſſiento de Negros*, for the Space of 30 Years ſucceſſively, beginning from the 1ſt Day of *May* 1713, with the ſame Conditions on which the *French* enjoy'd it, or at any time might or ought to enjoy the ſame; together with a Tract or Tracts of Land to be allotted by the ſaid Catholick King, and to be granted to the Company aforeſaid, commonly called *la Compania de el Aſſiento*, in ſome convenient Place on the River of *Plata*, (no Dutys or Revenues being payable by the ſaid Company on that account, during the Time of the abovementioned Contract, and no longer;) and this Settlement of the ſaid Society, or thoſe Tracts of Land, ſhall be proper and ſufficient for planting and ſowing, and for feeding Cattle for the Subſiſtence of thoſe who are in the Service of the ſaid Company, and of their Negroes; and that the ſaid Negroes may be there kept in ſafety, till they are ſold; and moreover, that the Ships belonging to the ſaid Company may come cloſe to Land, and be ſecure from any Danger. But it ſhall always be lawful for the Catholick King to appoint an Officer in the ſaid Place or Settlement, to take care that nothing be done contrary to his Royal Intereſts. And all who manage the Affairs of the ſaid Company there, or belong to it, ſhall be ſubject to the Inſpection of the aforeſaid Officer, as to all Matters relating to the Tracts of Land abovementioned. But if any Doubts, Difficultys, or Controverſys ſhould ariſe between the ſaid Officer and the Managers for the ſaid Company, they ſhall be referred to the Determination of the Governor of *Buenos Ayres*. The Catholick King has been likewiſe pleaſed to grant to the ſaid Company ſeveral other extraordinary Advantages, which are more fully and amply explained in the Contract of the *Aſſiento*, made and concluded at *Madrid* the 26th of *March* of this preſent Year 1713. Which Contract, or *Aſſiento de Negros*, and all the Clauſes, Conditions, Privileges and Immunitys contained therein, and which are not contrary to this Article, are and ſhall be deemed and taken to be Part of this Treaty, in the ſame manner as if they had been here inſerted word for word.

XIII. Whereas the Queen of *Great Britain* has continually preſſed and inſiſted with the greateſt Earneſtneſs, that all the Inhabitants of the Principality of *Catalonia*, of whatever State or Condition they may be, ſhould not only obtain a full and perpetual Oblivion of all that was done in the late War, and enjoy the entire Poſſeſſion of all their Eſtates and Honours; but ſhould alſo have their antient Privileges preſerved ſafe and untouched; the Catholick King, in compliance with the ſaid Queen of *Great Britain*, hereby grants and confirms to all the Inhabitants of *Catalonia* whatſoever, not only the Amneſty deſired, together with the full Poſſeſſion of all their Eſtates and Honours; but alſo gives and grants to them, all the Privileges which the Inhabitants of both *Caſtiles*, who of all the *Spaniards* are the moſt dear to the Catholick King, have and enjoy, or may hereafter have and enjoy.

XIV. And whereas the Catholick King, at the requeſt of her Royal *Britannick* Majeſty, has been pleaſed to yield the Kingdom of *Sicily* to his Royal Highneſs *Victor Amadeus*, Duke of *Savoy*; and by the Treaty this Day entred into between his Royal Catholick Majeſty, and his Royal Highneſs of *Savoy*, does make a Ceſſion of the ſaid Kingdom; her Royal Majeſty of *Great Britain* aforeſaid promiſes and engages, that ſhe will take care, that in default of the Heirs Male of the Houſe of *Savoy*, the Poſſeſſion of the aforeſaid Kingdom of *Sicily* ſhall revert again to the Crown of *Spain*. And her aboveſaid Royal *Britannick* Majeſty doth further conſent, that the Kingdom of *Sicily* may not, under any Pretence, or in any manner whatever, be alienated, or given to any Prince or State, unleſs to the Catholick King of *Spain*, and to his Heirs and Succeſſors. And whereas the Catholick King hath made known to her Royal *Britannick* Majeſty, that it would be both reaſonable in itſelf and acceptable to him, that not only the Subjects of the Kingdom of *Sicily*, altho they may reſide in the Dominions of *Spain*, and be in the Service of his ſaid Catholick Majeſty, but alſo the *Spaniards* and other Subjects of *Spain*, who may perhaps have Eſtates and Honours in the aforeſaid Kingdom of *Sicily*, ſhould, without any diminution, entirely enjoy their ſaid Eſtates and Honours, and ſhould in no wiſe, under pretence of perſonal Abſence out of the ſaid Kingdom, be troubled or diſquieted. And whereas the aboveſaid Catholick King freely promiſes likewiſe on his part, that he

will conſent, that the Subjects of the ſaid Kingdom of *Sicily*, and other Subjects of his ſaid Royal Highneſs, if they ſhould chance to have Eſtates and Honours in *Spain*, or other the Dominions belonging to *Spain*, ſhall in like manner, without any Diminution, entirely enjoy the ſame; and that they ſhall in no wiſe be troubled or diſturbed under pretence of perſonal Abſence: therefore her Royal *Britannick* Majeſty promiſes, that ſhe will endeavour, and give Inſtructions to her Ambaſſadors Extraordinary and Plenipotentiarys at *Utrecht*, that they interpoſe the moſt effectual good Offices, that the Catholick King, and his Royal Highneſs, may mutually agree concerning this Matter, and may take care and provide for the ſame, in ſuch manner as ſhall be moſt commodious on both Sides.

XV. Their Royal Majeſtys on both parts renew and confirm all Treatys of Peace, Friendſhip, Confederation and Commerce, heretofore made and concluded between the Crowns of *Great Britain* and *Spain*, and the ſaid Treatys are hereby renewed and confirmed in as full and ample manner, as if they were now particularly here inſerted; that is to ſay, as far as they are not found to be contrary to thoſe Treatys of Peace and Commerce which were laſt made and ſigned. And eſpecially by this Treaty, thoſe Agreements, Treatys and Conventions, are confirmed and ſtrengthned, which relate as well to the Exerciſe of Commerce and Navigation in *Europe* and elſewhere, as to the Introduction of Negroes into the *Spaniſh Weſt-Indies*, and which either are already made, or will forthwith be made between both Nations at *Madrid*. And whereas it is inſiſted on the part of *Spain*, that certain Rights of Fiſhing at the Iſland of *Newfoundland* belong to the *Guipuſcoans*, or other Subjects of the Catholick King, her *Britannick* Majeſty conſents and agrees, that all ſuch Privileges as the *Guipuſcoans*, and other People of *Spain*, are able to make claim to by Right, ſhall be allowed and preſerved to them.

XVI. Whereas in the Convention for a Suſpenſion of Arms from the $\frac{11}{17}$ Day of *Auguſt* laſt paſt, for 4 Months, between the Queen of *Great Britain* and the moſt Chriſtian King, (which the Catholick King alſo approved by his Conſent, and does hereby further approve) and which by another Convention was prolonged to the $\frac{11}{21}$ of *April* of this preſent Year; among other Conditions it is expreſly ſtipulated, in what Caſes the Ships, Merchandizes,

and other Moveables taken on one ſide and the other, ſhould either become Prize to the Captor, or be reſtored to the former Owner: It is therefore agreed, that in thoſe Caſes the Conditions of the aforeſaid Suſpenſion of Arms ſhall remain in full Force; and all things relating to ſuch Captures, made either in the *Britiſh* and *Northern* Seas, or elſewhere, ſhall be well and truly executed, according to the Tenor thereof.

XVII. But if it happen thro' Inadvertency, Imprudence, or any other Cauſe, that any Subject of either of their aforeſaid Royal Majeſtys do or commit any thing, by Land, Sea, or on freſh Waters, in any part of the World, whereby this preſent Treaty be not obſerved, or whereby any particular Article of the ſame hath not its effect, this Peace and good Correſpondence, between the Queen of *Great Britain* and the Catholick King, ſhall not therefore be interrupted or broken, but ſhall remain in its former ſtrength, force and vigour; and that Subject only ſhall be anſwerable for his own Fact, and ſuffer ſuch Puniſhment as is inflicted by Law, and according to the Preſcriptions of the Law of Nations.

XVIII. But if (which God forbid) the Diſputes which are compoſed ſhould at any time be renewed between their ſaid Royal Majeſtys, and break out into open War, the Ships, Merchandizes and Goods, both moveable and immoveable, of the Subjects on both ſides, which ſhall be found to be and remain in the Ports and Dominions of the adverſe Party, ſhall not be confiſcated, or ſuffer any Damage; but the Space of ſix Months, on the one Part and on the other, ſhall be granted to the ſaid Subjects of each of their ſaid Royal Majeſtys, in order to their ſelling the aforeſaid things, or any other their Effects, or carrying away and tranſporting the ſame from thence, whitherſoever they pleaſe, without any Moleſtation.

XIX. The Kings, Princes, and States, mentioned in the following Articles, and all others who ſhall be nominated on either ſide, by common Conſent, before the Ratifications are exchanged, or within ſix months after, ſhall, as a Mark of mutual Friendſhip, be included and comprehended in this Treaty; their Royal Majeſtys aforenamed being perſuaded, that they will approve all the Settlements made and eſtabliſhed by it.

XX. Whatſoever ſhall be contained in the Treaty of Peace next entred into, between his Sacred Royal Majeſty

jeſty of *Spain* and his Sacred Royal Majeſty of *Portugal*, with the previous Approbation of her Royal Majeſty of *Great Britain* ſhall be deemed an eſſential Part of this Treaty, in the ſame manner as if it was tranſcribed here word for word. Moreover, her Sacred Royal Majeſty of *Great Britain*, offers herſelf to be a Surety or Guarantee of the aforeſaid Agreement of Peace, which ſhe promiſes to fulfil, according to the Subſtance and Words thereof, to the end it may be obſerved the more ſacredly and inviolably.

XXI. The Treaty of Peace this Day enter'd into between his Royal Catholick Majeſty and his Royal Highneſs the Duke of *Savoy*, is ſpecially included in and confirmed by this Treaty, as an eſſential Part thereof, as fully as if it was inſerted therein word for word; her Royal Majeſty of *Great Britain* expreſly declaring, that ſhe will be obliged by the Terms of the Promiſe and Guaranty therein made.

XXII. The moſt Serene King of *Sweden*, together with his Realms, Dominions, Provinces, and Rights, and the moſt Serene Princes, the Great Duke of *Tuſcany*, and the Duke of *Parma*, together with their People and Subjects, and the Libertys and Advantages of their Subjects in matters of Trade, ſhall be included in this Treaty in the moſt effectual manner.

XXIII. The moſt Serene Republick of *Venice*, for the ſake of the Neutrality, which, during the War, they exactly obſerved between the Partys in Hoſtility, and for the ſake of many Acts of Humanity performed by them, (the Dignity, Power and Security of the Eſtates and Dominions thereof remaining ever inviolable) ſhall be particularly comprehended and concluded in this Treaty, in the beſt manner poſſible, as a common Friend, and one to whom their Royal Majeſtys, at all times, deſire to repay the Offices of a faithful Friendſhip, according to the Exigences of the ſaid Republick.

XXIV. It has been thought good to comprehend in the preſent Treaty the moſt Serene Republick of *Genoa*, which by a conſtant Neutrality, during the War, hath cultivated the antient Friendſhip with the Crowns of *Great Britain* and *Spain*; that the Benefit of this Peace may be extended to every Thing which concerns that Republick; and that the Subjects thereof may in all things, and every where, fully enjoy the ſame Liberty of Commerce hereafter

after, as they enjoyed formerly, and during the Life of *Charles* II. Catholick King of *Spain*.

XXV. The City of *Dantzick* is likewiſe included in this Agreement, to the end it may for the future enjoy all the Advantages in Trade which it has heretofore enjoyed in either Kingdom, either by Treatys or antient Cuſtom.

XXVI. Solemn Ratifications of this Treaty, drawn up in the proper Form, ſhall be duly and reciprocally exchang'd on both ſides, within ſix Weeks, to be computed from the time of Signing, or ſooner if poſſible.

In Witneſs whereof, the Ambaſſadors Extraordinary and Plenipotentiarys above nam'd, having on each ſide exhibited and duly exchang'd their Letters of full Powers, ſign'd and ſeal'd this preſent Treaty at *Utrecht*, the $\frac{2}{11}$ Day of the Month of *July*, in the Year of our Lord 1713.

(L. S.) *Joh. Briſtol*, C. P. S.
(L. S.) *Strafford.*
(L. S.) *Duc de Oſſuna.*
(L. S.) *El Marque de Monteleone.*

First Separate Article.

BEſides thoſe Things which have been ſtipulated between the Lord Baron of *Lexington* on the part of her Royal Majeſty of *Great Britain*, and the Lord Marquis of *Bedmar* on the part of his Royal Catholick Majeſty, by the Treaty of the 27th of *March* laſt at *Madrid*, it is further agreed by this Separate Article, which ſhall be of the ſame force, as if it was inſerted word for word in the Treaty this Day concluded between their Royal Majeſtys, that ſince his Royal Catholick Majeſty is ſtedfaſty reſolved, and does ſolemnly promiſe by theſe Preſents, that he will not conſent to any further Alienation of Countrys, Provinces, or Lands of any ſort, or wherever ſituate, belonging to the Crown of *Spain*; her Royal Majeſty of *Great Britain* does likewiſe reciprocally promiſe, that ſhe will perſiſt in thoſe Meaſures and Counſels, by which ſhe has provided, and taken care, that none of the Partys in War ſhall require or obtain of his Catholick Majeſty, that any farther part of the *Spaniſh* Monarchy be torn from it; but that, any new Demand of that Kind being made, and the ſame refuſed by his Catholick Majeſty, her Royal Ma-

jeſty of *Great Britain* will uſe her Endeavours that ſuch Demands ſhall be receded from.

And when it ſhall ſeem to her Royal Majeſty of *Great Britain* to be for the common Benefit, that a new Treaty be enter'd into, between her *Britannick* Majeſty, the Catholick King, and King of *Portugal*, that the Security of the Crown of *Portugal* may be provided for, his Catholick Majeſty does by theſe Preſents give his Conſent to ſo wholeſom a Work, and does hereby teſtify it.

This Article ſhall be ratify'd, and the Ratifications thereof exchang'd at *Utrecht*, within ſix Weeks, or ſooner, if it can be.

In Teſtimony whereof, we the Ambaſſadors Extraordinary and Plenipotentiarys of their Royal *Britannick* and Catholick Majeſtys, by virtue of the full Powers exchang'd this Day, have ſign'd and ſeal'd the preſent Article at *Utrecht* the 13th of *July*, in the Year of our Lord One thouſand ſeven hundred and thirteen.

(L. S.) *Joh. Briſtol*, C. P. S.
(L. S.) *Strafford.*
(L. S.) *Duc de Oſſuna.*
(L. S.) *Marque de Monteleone.*

Second Separate Article.

THAT it may appear what Conſideration her Sacred Majeſty the Queen of *Great Britain* has for the Princeſs of *Urſini*, her ſaid Majeſty the Queen of *Great Britain*, in the 21ſt Article of the Conventions of Peace made between the Baron of *Lexington* on the part of her ſaid *Britannick* Majeſty, and the Marquiſs *de Bedmar* on the part of his Catholick Majeſty, at *Madrid*, the 27th Day of *March* laſt, did oblige herſelf, as by the preſent Article ſhe does oblige herſelf, and promiſes and agrees for herſelf and her Succeſſors, that ſhe will really procure and effect, that forthwith, and without any delay, the ſaid Lady Princeſs of *Urſini* be put into real and actual Poſſeſſion of the Duchy of *Limburg*, or of other Countrys in the *Netherlands*, which ſhall be ſubſtituted in lieu thereof, to the full ſatisfaction of the Lady Princeſs *Urſini*, with all manner of abſolute and independent Superiority, clear from any Fee, or other Tye whatſoever, which ſhall produce an annual Revenue of 30,000 Scudos, according to the Form and Tenour of the Diploma granted by his

ſaid Catholick Majeſty to the ſaid Princeſs, the 28th Day of *September* 1711, to the effect following.

PHILIP, by the Grace of God, King of *Caſtile*, *Leon*, *Arragon*, both *Sicilys*, *Jeruſalem*, *Navarre*, *Granada*, *Toledo*, *Valencia*, *Galicia*, *Majorca*, *Seville*, *Sardinia*, *Cardoua*, *Corſica*, *Murcia*, *Jaen*, *Algarves*, *Algezira*, *Gibraltar*, *Canary* Iſlands, *Eaſt* and *Weſt-Indies*, the Iſlands and *Terra-Firma* of the Ocean, Archduke of *Auſtria*, Duke of *Burgundy*, *Brabant*, and *Milan*, Count of *Hapsburgh*, *Flanders*, and *Tirol*, and of *Barcelona*, Lord of *Biſcay* and of *Molina*, &c. To all who ſhall ſee theſe Preſents, or hear them read, Greeting. Our deareſt and moſt well-beloved Couſin the Princeſs of *Urſini* has, ſince the beginning of our Reign, rendred us, and continues to render us ſo many ſignal and acceptable Services, that we thought we could not defer any longer giving her lively Teſtimonys of our Acknowledgments, and of the Eſteem we have for her Perſon. This Princeſs having quitted the Rank and the Prerogatives ſhe had at the Court of *Rome*, to accept the Employment of firſt Lady of the Bed-Chamber to the Queen our deareſt Conſort, ſhe went to meet her at *Nice* in *Provence*, and conducted her into our Dominions of *Spain*, and diſcharged her Duty with ſo much Care, Exactneſs, and Wiſdom, that ſhe has gained all poſſible Confidence and Conſideration.

When we truſted the Regency of our Kingdoms of *Spain* to the Queen our deareſt Conſort, that we might go and command our Armys in the Kingdoms and States of *Italy*, the Princeſs of *Urſini* redoubled her Zeal and Aſſiduity about her Perſon; ſhe has always aſſiſted her with her Care, and her Counſel, with equal Prudence and Affection; and in all Times, and on all Occaſions, we have experienc'd the happy Effects of ſo judicious, ſo faithful, and ſo valuable Conduct.

Since it has pleaſed God to bleſs our Royal Houſe, and to ſecure the Succeſſion of it by a happy Iſſue, ſhe has likewiſe taken upon her to beſtow her moſt tender and effectual Care on the Education of our deareſt and moſt beloved Son, the Prince of *Aſturias*, in whom we already obſerve the Benefit and Progreſs of it. All theſe Services, ſo diſtinguiſhing, and ſo important to the Welfare of our Dominions, and to the Felicity of our Reign, the Application with which this Princeſs gives us ſtill freſh

Proofs

Proofs of an intire Affection to the Perſon of us, the Queen our deareſt Conſort, and the Princes our Children, and the good Succeſs which has attended the wholeſom Counſels ſhe has given us, have engag'd us to find out Means to grant her a Reward ſuitable to ſo many Services, and which might ſerve for the future as a certain Proof of the Greatneſs of our Gratitude, as well as of her Merit and Virtues. This has given us occaſion to think of ſecuring to her not only a conſiderable Revenue, but alſo a Country ſhe might enjoy with the Title of Sovereign, which we have embraced with the greater readineſs, inaſmuch as this Princeſs being born of the Houſe of *la Trimouille*, one of the moſt antient and moſt illuſtrious of *France*, is not only allied to the Princes of the Blood of *France*, but likewiſe to ſeveral other Sovereign Houſes of *Europe*; and knowing the Endowments of her Mind, and the Wiſdom of her Conduct in all things, we are perſuaded ſhe will govern with Juſtice the Country and People which ſhall be under her Subjection; and that this great Favour will ever be looked upon as the juſt Effect of the Juſtice and Munificence of the Sovereigns towards thoſe who have been ſo happy as to render them important Services. Know ye therefore, That, out of our full Power, mere Motion, and Royal and abſolute Authority, we have given, yielded and transferred, as we do give, yield and transfer by theſe Preſents, to our deareſt and moſt well-beloved Couſin, *Mary Anne de Trimouille*, Princeſs of *Urſini*, for herſelf, her Heirs, Succeſſors, and Aſſigns, the Duchy, Town, and Caſtle of *Limburgh*, being part of the *Spaniſh Netherlands*, with the Towns, Boroughs, Villages, Caſtles, Houſes, Lands, and other Appurtenances of the ſaid Duchy, to enjoy the ſame to herſelf the ſaid Princeſs of *Urſini*, her Heirs, Succeſſors or Aſſigns, in full Property and perfect Sovereignty, without reſerving or detaining any Part thereof to ourſelves, or to our Succeſſors the Kings of *Spain*, under any Title whatſoever, either of Reſort or Feodalty; as alſo without Return or Reverſion in any Caſe, or at any Time, whereof we have exempted the ſaid Duchy of *Limburgh*, and its Dependences comprehended in the preſent Donation: To which End, ſo far as is or ſhould be neceſſary, we have extinguiſhed and ſuppreſſed, as we do extinguiſh and ſuppreſs the ſaid Rights; willing that the ſaid Princeſs of *Urſini* do exerciſe in her Name all the Rights of Sovereignty within the ſaid Duchy of *Lim-*

burgh, the Territorys and Juriſdictions thereto annexed, with the ſame Authority as we exerciſed, and had Right to exerciſe the ſame before theſe Preſents; and that ſhe enjoy there all the Revenues, Fruits, Profits and Emoluments whatſoever, as well ordinary as extraordinary and caſual, of what nature ſoever, either for the Collation and Patronage of the Livings, the Proviſion and Deſtitution of Offices, the Cuſtoms, Entrys, Subſidys, Impoſitions, and other Rights, expreſſed and not expreſſed, the Defence of the Country, and the Tranquillity of the People, the raiſing the Revenues of the ſaid Duchy, and its Dependences: All which Rights and Revenues the ſaid Princeſs of *Urſini* ſhall begin to enjoy from the Day of theſe Preſents, from the Reckoning of which, the Agents, Receivers, Clerks, or others appointed to receive the ſaid Revenues, ſhall be accountable, and remit the Produce into the Hands of the Bearers of the Powers of the ſaid Princeſs; and in ſo doing they ſhall be duly acquitted and diſcharged thereof towards us, as by theſe Preſents we diſcharge them thereof; and conſequently the ſaid Princeſs of *Urſini* ſhall remain unalterable Proprietor of the ſaid Duchy of *Limburgh* and its Dependences, as well for the Sovereignty, as for all the Revenues, as the whole belonging to her, in full, free and intire Property, with Power to diſpoſe thereof, by Donation between Perſons alive, or Legacy to ſuch Perſon, and with ſuch Clauſes and Conditions, as ſhe ſhall think fit, and even to treat thereof by Exchange, or otherwiſe; and the ſame Rights and Powers ſhall belong ſucceſſively, after her, to her neareſt Heir, in caſe ſhe has not otherwiſe diſpoſed thereof. To which end we have diſcharged, abſolved and freed, as by theſe Preſents we diſcharge, abſolve and free the Inhabitants of the ſaid Duchy of *Limburgh*, and its Dependences, of what State, Quality or Dignity they may be, as well Eccleſiaſtical as Secular, Political, Military, and of what other Ranks and Conditions they are or may be, and each of them in general and in particular, of the Oaths of Fidelity, Faith and Obedience, Promiſes, Obligations, and Dutys they owed us, as their Lord and Sovereign Prince; ordering and enjoining them moſt expreſly, that by virue of theſe Preſents they do own and acknowledge the ſaid Princeſs of *Urſini*, and after her, her Heirs, Succeſſors or Aſſigns, ſucceſſively for their Princes and Sovereign Lords; and that they take and ſwear to her the Oaths of Fidelity and Obedience in the uſual manner;

manner; and moreover, that they pay all Homage, Reverence, Affection, Obedience, Fidelity and Services, as good and loyal Subjects are oblig'd to do to their Sovereign Lord, and as they have done hitherto to the Kings our Predeceſſors, and to us. And farther, our Intention being, that the ſaid Duchy of *Limburgh*, and its Dependences, ſhould produce at leaſt the effectual and real Revenue yearly, to the Profit of the ſaid Princeſs of *Urſini*, her Heirs, Succeſſors and Aſſigns, of Thirty Thouſand Crowns, each Crown of eight Silver Reals, old double Money of *Caſtile*, Deduction being made of local Employments, Maintenance of Places, and Officers that uſed to be paid and maintained out of the Revenues of the ſaid Duchy: Our Will and Pleaſure is, that during the firſt Year of Enjoyment by the ſaid Princeſs of *Urſini*, after her having taken Poſſeſſion of the ſaid Duchy of *Limburgh*, and after the Publication of the Peace, a State be made of the Revenues and Employments of the Duchy of *Limburgh* and its Dependences, in the Preſence of Perſons appointed for that purpoſe, as well on our part as on that of the ſaid Princeſs of *Urſini*; and in caſe, after Deduction is made for the ſaid Employments, the Revenues for the neat Remainder to the Profit of the ſaid Princeſs of *Urſini* do not amount to the ſaid Thirty thouſand Crowns *per Annum*, whether by reaſon of the Alienations that may have been made of ſome part of that Duchy, or becauſe any of the ſaid Rights, Revenues, and Appurtenances may have been ſold, mortgaged, or charged with ſome Rents, even ſome Debts for Sums taken by Loan, or Anticipation; in this Caſe we ordain, and our Will and Pleaſure is, That the whole be redeemed and diſingaged, *&c.* the Purchaſers, Mortgagees, Tenants, and other Creditors, reimburſed, paid, and ſatisfied out of the Produce of the cleareſt Revenues of the other Provinces of the *Spaniſh Netherlands*; ſo as that the ſaid Princeſs enjoy, fully, really, and without any Charge, the ſaid Thirty thouſand Crowns yearly: To which end, and until the full Reimburſement for the redeeming the ſaid Alienation or Engagements, Conſtitutions of Rents, Anticipation or other Loans, whatever they may be, the Purchaſers of the Funds alienated, or Mortgagees, Tenants, and all other Creditors ſhall be, and remain aſſigned, as from this time we aſſign them to receive their Arrears, or Intereſts of their Capitals out of the ſaid Revenues of the other Provinces of the *Spaniſh Netherlands*;

Netherlands; and conſequently we have from this time yielded and transferred, as we do yield and transfer, all and ſuch of our Revenues as ſhall be requiſite, to the Mortgagees and Creditors, and until the Reimburſement of what is due to them for Principal and Intereſt, to take, have, and receive out of the cleareſt and moſt effective Part of the ſaid Revenues of the ſaid *Spaniſh Netherlands*, except thoſe of the ſaid Duchy of *Limburgh*, to enjoy the ſame themſelves, until they ſhall be fully reimburſed. And if it ſhould happen, that notwithſtanding the ſaid Redemption and Reimburſement being made or aſſign'd, the Revenue of the ſaid Duchy of *Limburg* ſhould not amount to the ſaid Sum of Thirty thouſand Crowns yearly, all Charges deducted, We will, that there be diſmembred, as from this time we diſmember, from the other Countrys belonging to us, adjacent or lying convenient to the ſaid Duchy of *Limburg*, ſuch other Towns, Boroughs, Villages and Territorys as ſhall be requiſite to make up, by their yearly Produce and Revenue, what ſhall be wanting of the ſaid Thirty thouſand Crowns yearly in the Duchy of *Limburg*; which Towns, Boroughs, Villages and Territorys, together with the Revenue and Appurtenances, ſhall remain diſmembred from our other Lordſhips, and be united and joined for the future, and for ever, to the ſaid Duchy of *Limburg*, to be poſſeſſed by the ſaid Princeſs of *Urſini*, with the ſame Title of Sovereignty, Juriſdiction, and Prerogative beforementioned, and as making part of the ſaid Duchy of *Limburg*. And whereas, by the ſeveral Propoſals which are from time to time made to us, to attain a Peace ſo much deſir'd by us, and other Princes and States of *Europe* engaged in the preſent War, ſome of them tend to certain Diſmembrings of the ſaid *Spaniſh Netherlands* from the other Dominions which make up our Monarchy, we declare, that our Intention is, that theſe Preſents ſhall not be prejudiced by the Treatys of Peace which ſhall be made; and that all the Princes and Potentates intereſted in the ſaid Propoſals, do ratify the Diſmembring we make by theſe Preſents of the ſaid Duchy of *Limburg*, and the Erecting of that in Sovereignty, in favour of the Princeſs of *Urſini*; ſo as that ſhe be put and remain in full Poſſeſſion, and peaceable Enjoyment thereof, within the full Extent of theſe Preſents, according to their Form and Tenor, and without any Reſerve or Reſtriction whatſoever:

ſoever: It being our Will, that the preſent Donation be one of the Conditions of the Treatys which may be made in what ſhall concern the ſaid *Spaniſh Netherlands*, to the end the ſaid Princeſs of *Urſini*, her Heirs, Succeſſors and Aſſigns, may enjoy the ſaid Duchy of *Limburg* and its Appurtenances, fully, peaceably, perpetually, and for ever, with the Title of Sovereignty, without any trouble and hindrance. On the contrary, to effect the ſame, and to conſtrain thereto all thoſe whom it ſhall concern, or who are therefore to be conſtrain'd, we have, out of our full Power and Royal Authority, ſupplied, as we do hereby ſupply, all Defects or Omiſſions of Right or Fact, which might be found or happen in this Donation, Ceſſion and Conveyance, either by the Fault of Expreſſion, or the Value of the Revenues, and of the Employments of the ſaid Duchy of *Limburg*, which are not therein ſpecify'd or declared, and which might be requiſite by former Ordinances; to which, and the Derogatorys of the Derogatorys therein contained, we have expreſly derogated, as we do derogate by theſe Preſents; for ſuch is our Will and good Pleaſure: Willing that theſe preſent Letters Patent be delivered to the ſaid Princeſs of *Urſini*, that ſhe may cauſe the ſame to be regiſtred and publiſh'd where it ſhall be neceſſary; and even to cauſe them to be inſerted, with the Donation and Ceſſion therein contained, in the Treaty of Peace to be negotiated, therein to be included and acknowledged in the Quality of Sovereign Princeſs of the Duchy of *Limburg*, and in that Quality to exerciſe the Rights thereof, and there to make Treatys and Alliances with the Princes and Sovereigns who ſhall intervene; enjoining the Miniſters and Ambaſſadors who ſhall be there on our part, to acknowledge her as ſuch, and all our Officers of the ſaid Duchy of *Limburg* to obey theſe Preſents from the moment they ſhall be notified to them. And to the end this preſent Donation be firm and laſting for ever, we have ſign'd theſe preſent Letters with our own Hand, and cauſed our great Seal to be affix'd to them; willing and ordaining that they be regiſtred in all and every one of our Councils, and Chambers of Accompts where it ſhall belong. *Given at our City of* Corrella, *in our Kingdom of* Navarre, *the* 28th *Day of* September, *in the Year of our Lord* 1711, *and of our Reign the Eleventh.*

And

AND her ſaid Majeſty of *Great Britain* promiſes, that ſhe will maintain the ſaid Lady Princeſs of *Urſini* or her Aſſigns, in the real, actual, and peaceable Poſſeſſion of the ſaid Sovereignty and Territory, againſt all and every one, at any time and for ever; and that ſhe will not permit, that the ſaid Lady Princeſs be diſturbed, or moleſted in the ſaid Poſſeſſion, by any Body, by Right or Fact. And whereas the real Poſſeſſion of the Sovereignty of the ſaid Duchy of *Limburg*, or of the Territorys, as aforeſaid to be ſubrogated, ought, by virtue of the before-mention'd Convention, concluded the 27th of *March* laſt, to have been already given to the ſaid Lady Princeſs, tho it is not yet given; therefore her ſaid Royal Majeſty of *Great Britain*, as a farther Security, promiſes, and engages her Royal Word, that ſhe will not yield or remit, nor ſuffer to be yielded or remitted to any Body, the ſaid *Spaniſh Netherlands*; but will keep, or cauſe the ſame to be kept, not only until the ſaid Lady Princeſs of *Urſini* be put into actual aud peaceable Poſſeſſion of the ſaid Sovereignty, but alſo, that the ſaid Lady Princeſs of *Urſini* be, as aforeſaid, acknowledged Sovereign Lady of the ſaid Sovereignty, and put in poſſeſſion thereof by the Prince to whom the ſaid *Spaniſh Netherlands* are to be yielded and remitted.

This preſent Article ſhall be ratified, and the Exchange of the Ratifications ſhall be made at *Utrecht* within ſix Weeks, or ſooner if poſſible.

In Witneſs whereof, we the Ambaſſadors Extraordinary and Plenipotentiarys of her ſacred Royal Majeſty of *Great Britain*, have ſubſcribed this preſent Article, and ſealed the ſame with our Seals, at *Utrecht*, the $\frac{11}{22}$ of *July*, in the Year of our Lord 1713.

(L. S.) *Joh. Briſtol*, C. P. S.
(L. S.) *Strafford.*
(L. S.) *Duc de Oſſuna.*
(L. S.) *El Marque de Monteleone.*

MVSEVM BRITANNICVM

FINIS.